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Traditional *Sunnī* Epistemology  
in the scholarship of  
al-Ḥāfiẓ al-Khaṭīb al-Baghdādī  
(463AH/1071CE)

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## Abstract

This study examines the intellectual thrust of traditional *Sunnī* epistemologies as articulated in the written legacies of al-Ḥāfiẓ al-Khaṭīb al-Baghdādī (392AH/1002CE - 463AH/1071CE), a luminary in Muslim scholarship mostly celebrated for his proficiency as an expert of *ḥadīth* and his magnum opus on the history of Baghdad. Although several of his works have been hugely influential in shaping critical academic debates on subjects such as the problem of the dating and writing down of Prophetic tradition, it is striking that there has never been a comprehensive study of his intellectual output, despite his being qualified in almost every aspect of *ḥadīth* theory and also given the sheer impact of his thought upon later medieval discourses relating to theories of knowledge. The thesis includes a reconstruction of his biography; an extensive review of his literary works; an examination of the methodological constructs which underpin his writings; and a study of some theological controversies and debates in which he became embroiled. The thesis will ultimately seek to shed light on the epistemic structures used to develop critical concepts such as *ʿilm*, *fiqh*, *ḥujjah*, *bayān*, *istidlāl*, *khavar*, *riwāyah*, *ḥadīth*, *sunnah*, *mutawātir*, *āḥād*, *takhrīj* and, most crucially, the concept of fact and potential account in *Sunnī* treatments of historical reports. This will include an analysis of al-Khaṭīb's quest for definitions of orthopraxy and gradation of potentiality. The aim will be to identify and construct the guiding principles of his theory of knowledge for the creative articulation of *Sunnī* Islam, with its emphasis on the coupling of traditionalist theology with legal thought. It will include the exploration of *ṣūfī* elements and female involvement in pursuing his scholarship. Attention will also be paid to assessing the overarching influence of the four *madhhabs* paradigm, particularly with the formation of *ḥuffāẓ*-ship as a distinguished group and authority in Islam.

## Acknowledgement

It was reported that Ismā'īl ibn Yaḥyā al-Muzanī al-Shāfi'ī said, 'If a book were to be revised seventy times there would still be a mistake in it, for God has never permitted any other completely *ṣaḥīḥ* (sound) book except for His Book.' Aḥmad Ibn Ḥanbal found a mistake in his work after the fourteenth revision and remarked, 'Indeed, I have denied that any treatise could be completely *ṣaḥīḥ* except for the Book of God.'

- al-Ḥāfiẓ al-Khaṭīb al-Baghdādī, *Clarifying the Errors*

Firstly, my never-ending gratitude extends itself to anyone who is willing to read this dissertation and provide any rectification or constructive criticism.

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## On Perseverance

لَعَمْرُكَ مَا شَجَانِي رَسْمُ دَارٍ  
وَلَا أَثْرُ الْخِيَامِ أَرَاقَ دَمْعِي  
وَلَا مَلِكُ الْهَوَى يَوْمَا قِيَادِي  
عَرَفْتُ فِعَالَهُ بِذَوِي التَّصَابِي  
فَلَمْ أَطْمَعِهِ فِيَّ وَكَمْ قَتِيلٌ  
طَلَبْتُ أَخَا صَحِيحَ الْوَدِّ مُحْضًا  
فَلَمْ أَعْرِفْ مِنَ الْإِخْوَانِ إِلَّا  
وَعَالَمٌ دَهْرُنَا لَا خَيْرَ فِيهِ  
وَوَصَفٌ جَمِيعُهُمْ هَذَا فَمَا أَنْ  
وَلَمْ أَجِدْ حَرًّا يُوَاتِي  
صَبَرْتُ تَكْرَمًا لِقِرَاعِ دَهْرِي  
وَلَمْ أَكُ فِي الشَّدَائِدِ مُسْتَكِينًا  
وَلَكِنِّي صَلِيبُ الْعُودِ عُودِ  
أَبِي النَّفْسِ لَا اخْتَارُ رِزْقًا  
لِعِزٍّ فِي لُطَى بَاغِيهِ يُشْوَى  
وَمَنْ طَلَبَ الْمَعَالِي وَابْتَغَاهَا

وَقَفْتُ بِهِ وَلَا ذِكْرُ الْمَغَانِي  
لَأَجَلِ تَذَكُّرِي مَهْدَ الْغَوَانِي  
وَلَا عَاصِيَتُهُ فَشَنَّى عَنَانِي  
وَمَا يَلْقَوْنَ مِنْ ذُلِّ الْهَوَانِ  
لَهُ فِي النَّاسِ مَا يَحْصِي وَعَانِ  
سَلِيمَ الْغَيْبِ مَأْمُونِ اللِّسَانِ  
نِفَاقًا فِي التَّبَاعِدِ وَالتَّدَانِي  
تَرَى صُورًا تَرُوقُ بِلَا مَعَانِي  
أَقُولُ سِوَى فَلَانٍ أَوْ فَلَانِ  
عَلَى مَا نَابَ مِنْ صَرْفِ الزَّمَانِ  
وَلَمْ أَجْزَعْ لَمَّا مِنْهُ دِهَانِي  
أَقُولُ لَهَا أَلَا كُفِّي كَفَانِي  
رَبِيطَ الْجَاشِ مُجْتَمَعَ الْجَنَانِ  
يَجِيءُ بِغَيْرِ سِيفِي أَوْ سِنَانِي  
أَلَدُّ مِنَ الْمَذَلَّةِ فِي الْجِنَانِ  
أَدَارَ لَهَا رُحَى الْحَرْبِ الْعَوَانِ

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# Preface

This study is based on the thesis that traditional *Sunnī* epistemology can be learned from a set of paradigms featured in the writings and expositions of classical *ḥadīth* experts. The phrase “traditional *Sunnī* epistemology” itself reflects ultimately and respectively the concepts of *ḥadīth*, *Sunnah* and *‘ilm* which had been discussed heavily and elaborately by classical Muslim scholars. The terms tradition and traditionalism are indeed, as observed by many Western scholars, difficult, since those who were qualified as traditionalists have been relatively innovative in their scholarly enterprises. This study employs this qualifying term based on the idea of traditionalism elucidated by William Graham.<sup>1</sup> Graham initially asserts that tradition in its meaning, either as a *traditum*; anything which was transmitted to the present from the past, or as the *modus vivendi* of a community, is a value-neutral term despite the negative connotation given to it in modern time, viz. the sense of anti-progress. Islamic traditionalism in its normative sense is an emphasis on the Qur’ān, the *Sunnah* and the first few generations of Muslims.

The terms *Sunnah* and *Sunnī* are more complex for they have been intertwined with the debate on the legitimacy of *ḥadīth* and *riwāyah* as the channel and source for identifying Prophetic tradition. The epithet *Sunnī* was eventually infused with a strong connotation of opposition to Shī‘ism, which may compel related discourse to meddle in the complexity of sectarian debates. However, as Sunnism solidified in the fourth/tenth and early fifth/eleventh century, its broader sense indicated a call to traditionalism as illustrated above. While the nature of its adoption of the concept of *Sunnah* has been contentiously and methodically scrutinised since the dawn of Western scholarship on Islam and its prophet; Muḥammad, the study of *ḥadīth* is still poring over the emergence of new perspectives and paradigms especially in navigating between Islamic traditionalism and modernity.<sup>2</sup> One relevant observation

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<sup>1</sup> William Graham, “Traditionalism in Islam: An Essay in Interpretation,” *The Journal of Interdisciplinary History* 23:3 (1993): 495-522.

<sup>2</sup> See the four-volume collection of articles in: Mustafa Shah, *The Ḥadīth: Critical Concepts in Islamic Studies* (Routledge, 2009). Also and specifically: Harald Motzki, “Dating Muslim Traditions: A Survey,” *Arabica* 52: (2005): 204-253, Sebastian Günther, “Modern Literary Theory Applied to Classical Arabic Texts, *Ḥadīth* Revisited,” in *Understanding Near Eastern Literatures: a Spectrum of Interdisciplinary Approaches*, eds. Verena Klemm and Beatrice Gruendler (Wiesbaden: Reichert, 2000), 171-176, R Marston

is worth mentioning here. Scott Lucas suggests that the sources employed in modern studies of the development of *Sunnī* Islam have been almost exclusively of a theological or legal nature, or with regards to treatment, researched with the sole aim of understanding the rise of legal schools (*madhāhib*). His study indicates that proto-Sunnīs of the third century and *ḥadīth* scholars in general were largely ignored, presumably because the vast majority of them were not affiliated with any sectarian group or exhibited little interest towards the institutionalisation of legal schools.<sup>3</sup>

In appreciating the relation of *ḥadīth* with *‘ilm*, most of the studies have also focused mainly on what Jonathan Brown terms the Authenticity Question.<sup>4</sup> Brown had enumerated four stages of chronological or thematic development in modern scholarship of *ḥadīth* which comprise of: (1) The Orientalist Approach, (2) The Philo-Islamic Apology, (3) The Revisionist Approach and (4) The Western Revaluation. The latest stage ultimately led some Western scholars to recognise both that the Orientalist method involves some questionable assumptions and that the Muslim *ḥadīth* tradition is much more sophisticated than previously believed. However, Brown admitted that Muslim scholars have left some doors open for forged materials.<sup>5</sup> There is a fundamental question on how this “charitable” stance affected the development of *Sunnī* epistemology? On the other hand, Harald Motzki identified two main approaches in addressing the issue of authenticity and dating. The first carries the sceptical paradigm mooted by the writings of Ignaz Goldziher and Joseph Schacht, and the second is its antithesis which appears in a research approach that may be called as tradition-historical “überlieferungsgeschichtlich”.<sup>6</sup> Elsewhere, Motzki also proposed, in general, two main camps; ‘the sceptics who reject the

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Speight, “Narrative Structures in the *Hadīth*,” *Journal of Near Eastern Studies* 4 (2000): 265. Other relevant works: Recep Senturk, *Narrative Social Structure: Anatomy of the Ḥadīth Transmission Network 610–1505* (Stanford University Press, 2005), C.H.M. Versteegh et al (Eds.), *The Transmission and Dynamics of the Textual Sources of Islam, Essays in Honour of Harald Motzki* (Leiden: Brill, 2011).

<sup>3</sup> Scott Lucas, *Constructive Critics, Ḥadīth Literature and the Articulation of Sunnī Islam: The Legacy of the Generation of Ibn Sa’d, Ibn Ma’in and Ibn Ḥanbal* (Leiden: Brill, 2004), 2–9.

<sup>4</sup> Jonathan Brown, *Hadith: Muḥammad’s Legacy in Medieval and Modern World* (London: Oneworld Publication, 2009), 197–236, particularly 204.

<sup>5</sup> Ibid, 235.

<sup>6</sup> Harald Motzki, “The Muṣannaf of ‘Abd al-Razzāq al-San’ānī as a Source of Authentic Aḥādīth of the First Century A. H.,” *Journal of Near Eastern Studies* 50:1 (1991): 1–21.

existence, -indeed the very possibility- of scientifically grounded knowledge about the first century and a half of Islam, and the second group who place considerable trust in the potentiality of sources and reports in reconstructing the historical beginnings of Islam and Islamic law. In addition, some scholars, for diverse reasons, reject radical scepticism and attempt to tread a path between the two extremes.<sup>7</sup>

Coming back to Lucas, he has further investigated the crux of the problem and suggested:

‘Western studies of *ḥadīth* have neglected to unravel the fundamental conceptual and historical frameworks employed by classical Muslim scholars proficient in this discipline. European scholars such as Joseph Schacht and, in particular, G.H.A. Juynboll, have developed an array of esoteric terms and diagrams for *ḥadīth* analysis without seriously investigating how Muslim scholars themselves understood the development of this vast literature. Studies on the *ḥadīth* disciplines are few and far between, and I am unaware of anyone who has attempted to sketch the history of the development *ḥadīth* literature from the death of Muḥammad to its florescence in Mamluk era.’<sup>8</sup>

Lucas’ study has achieved an extremely striking result. He observed that the articulation and survival of *Sunnī* Islam were made possible by virtue of endeavours of experts identified as the *ḥuffāz*. He highlighted that ‘the sobriquet *ḥāfiẓ* was an ambiguous stamp of religious authority that was adopted by *Sunnī* scholars to distinguish truly exceptional and indispensable men of learning from the thousands of trustworthy transmitters.’ For him, if we venture to describe *Shī‘ī* Islam as essentially a “*firqah* of the *Imāms*,” it would seem most appropriate to declare *Sunnī* Islam, at least as understood by the *ḥadīth* scholars, as the “*firqah* of the *Ḥuffāz*.”<sup>9</sup>

Nevertheless, the representation of the *ḥuffāz* in the formation and articulation of theological, legal or even spiritual tradition has long been neglected. Many works on the formation of tradition, theory or authority in *Sunnī* Islam contain no single mention of the term *ḥāfiẓ*, let alone the role of *ḥuffāz*-ship in the development of Islamic epistemology and sciences. Were those “exceptional and indispensable men of learning” in total dissociation from fundamental questions

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<sup>7</sup> Harald Motzki, “Theme Issue: Methods of Dating Early Legal Traditions,” *Islamic Law and Society* 19:1 (2012): 1-10.

<sup>8</sup> Lucas, *Constructive*, 25.

<sup>9</sup> Ibid, 376. *Firqah* may be translated as sect, group or side.

related to knowledge, authenticity and certainty? Did the scholars of *ḥadīth* always neglect any interest in the theological speculation and deliberation of the cosmos and Hellenistic epistemology? What were their perceptions towards the development of *Sunnī* epistemology during the initial period of institutionalisation?

In this study, the author chooses to explore how the above observations and questions could be appreciated and answered intricately through the scholarship of a *ḥāfiẓ* of his time, a leading figure of *ḥadīth* transmission and criticism from the third ‘Abbāsīd period, Abū Bakr al-Khaṭīb al-Baghdādī (463 AH/1071 CE).<sup>10</sup> In general, it offers a thorough examination on the testimony of al-Ḥāfiẓ Ibn Nuqṭah al-Ḥanbalī (629/1232) who stated: ‘He (al-Khaṭīb) has many writings in the study of *ḥadīth*, the like of which one has never seen before. It is indisputable that later scholars in *ḥadīth* have been dependent on the scholarship of Abū Bakr al-Khaṭīb.’<sup>11</sup> Indeed, al-Khaṭīb’s authority as a reference in *ḥadīth* studies has received several recognitions by later scholars in the field. Al-Ḥāfiẓ Ibn Ḥajar al-‘Asqalānī (852/1448), a Shāfi‘ī scholar of *ḥadīth* well-known for his elaborate commentary on *Ṣaḥīḥ al-Bukhārī*, accorded the same remark. While providing a sketch for the history of *ḥadīth* sciences, Ibn Hajar, who began by brief comments on the works of al-Qāḍī Ibn Khallād al-Rāmḥurmuzī (360/970), al-Ḥākim Abū ‘Abd Allāh al-Naysābūrī (405/1014) and al-Ḥāfiẓ Abū Nu‘aym al-Iṣfahānī (430/1039), recounted: ‘Then, al-Khaṭīb Abū Bakr al-Baghdādī came into the picture. He wrote *al-Kifāyah* on the rules of transmission and *al-Jāmi‘ li-Akhlāq al-Rāwī wa Ādāb al-Sāmi‘* on the etiquettes of transmission. [In fact] he wrote separate treatises in almost all aspects of *ḥadīth* criticism.’<sup>12</sup>

<sup>10</sup> See biographical entries for al-Khaṭīb al-Baghdādī in: W. Marçais, “al-Khaṭīb al-Baghdādī,” in *The Encyclopaedia of Islam, First Edition 1913 – 1938*, IV:929-930, R. Seillhem, “al-Khaṭīb al-Baghdādī,” in *The Encyclopaedia of Islam, New Edition, 1978*, IV:1111-1112, Daphna Ephrat, “al-Khaṭīb al-Baghdādī,” in *Medieval Islamic Civilization, An Encyclopaedia*, ed. Josef W. Meri (Routledge, 2006), 437, Ana María Rivera Medina, “al-Khaṭīb al-Baghdādī,” in *Encyclopaedia of The Medieval Chronicle* (Leiden: Brill, 2012). For works on al-Khaṭīb and his theory of education, see: Munīr al-Dīn Ahmed, *Muslim Education and the Scholars’ Social Status up to 5<sup>th</sup> Century Muslim Era (11<sup>th</sup> Century Christian Era) in the Light of Tarikh Baghdad* (Zurich: Verlag, 1968) and Habeeb Aḥmad Malik, *The Educational Theory of al-Khaṭīb al-Baghdādī* (PhD Diss., University of Pennsylvania, 1993). In the Arab world: Sālik Ahmad Ma‘lūm, *al-Fikr al-Tarbawī ‘inda al-Khaṭīb al-Baghdādī* (Damanhur: Maktabah Laynah, 1413/1993),

<sup>11</sup> Ibn Nuqṭah al-Ḥanbalī, *al-Taḥf li-Ma‘rifat al-Ruwāt wa’l-Sunan wa al-Masānīd* (India: Dā‘irat al-Ma‘ārif, 1983), 1:170.

<sup>12</sup> Ather Shahbaz Hussain, *The Nuzḥah of Ibn Ḥajar al-‘Asqalānī (852/1449); a Translation and Critical Commentary* (PhD Diss., University of Birmingham, 2012), 34 -35.



Ibn Ḥajar cited Ibn Nuqṭah and eventually explained the fact that al-Ḥāfiẓ Ibn al-Ṣalāḥ (643/1246) based his seminal *ḥadīth* curriculum at al-Madrasah al-Ashrafiyyah on the works of al-Khaṭīb al-Baghdādī. According to Ibn Ḥajar, he compiled what had hitherto been scattered in various books of al-Khaṭīb and added to them. For this reason, people adhered to his curriculum and followed its methodology. This was seconded by Lucas while assessing Ibn al-Ṣalāḥ's articulation and crystallisation of *ḥadīth* studies. Lucas agreed that 'the book *al-Kifāyah fī Uṣūl 'Ilm al-Riwāyah* deserves special mention, as it is packed with minute details concerning *ḥadīth* transmission and was cited extensively in the *Muqaddamah* [of Ibn al-Ṣalāḥ].'<sup>13</sup> Indeed, one does not read *Muqaddamah* and its numerous commentaries except that after every few chapters, one will encounter statements such as, "al-Khaṭīb stated that" and "al-Khaṭīb authored a specific work on this." However, up to the present, there is no specific dissertation in the Western world to appreciate even al-Khaṭīb's scholarship on *ḥadīth* in general.<sup>14</sup>

Building on the above, the author endeavours to examine the intellectual thrust of traditional *Sunnī* epistemology as articulated in the written legacies of al-Ḥāfiẓ al-Khaṭīb al-Baghdādī. The study by Paul Heck of al-Khaṭīb's position on the subject of writing down *ḥadīth* accentuated that 'the teaching and learning of the prophetic tradition, while conducted since the earliest period, only reached a theoretical formalization during al-Khaṭīb's day. It would have been very timely, then, for him to have worked to establish the theoretical grounds underlying the methods of teaching and studying *ḥadīth*.'<sup>15</sup> Ultimately, Heck argued that al-Khaṭīb's aim – as learned through the structure of one of his works, *Taqyīd al-'Ilm* – was to create a hierarchical framework in which the various means of knowledge transmission – the oral, the written as an alternative to memory and the written as

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<sup>13</sup> Lucas, *Constructive*, 27.

<sup>14</sup> Previous works on al-Khaṭīb and *ḥadīth* scholarship in the Arab world: Yūsuf al-'Ishsh, *al-Khaṭīb al-Baghdādī, Mu'arrikh Baghdād wa Muḥaddithuhā* (Damascus: al-Maktabah al-'Arabiyyah, 1364/1945), Mahmud al-Ṭaḥḥān, *al-Ḥāfiẓ al-Khaṭīb al-Baghdādī wa Atharuhu fī 'Ulūm al-Ḥadīth* (Published PhD. Dissertation, 1401/1981), Ba Bakar Ḥamd al-Turābī, *al-Khaṭīb al-Baghdādī wa Juhūduhu fī 'Ilm al-Ḥadīth* (Master Diss., Umm al-Qura University, 1402/1982), Akram Ḍiyā' al-'Umarī, *Mawārid al-Khaṭīb al-Baghdādī fī Tārīkh Baghdād* (Dār Ṭaybah, 1405/1985), 'Abd Allāh al-Sihlī, *al-Aḥādith allatī 'A'allahā al-Khaṭīb al-Baghdādī fī Tārīkh Baghdād* (PhD. Diss., Islamic University of Madinah, 1429/2008).

<sup>15</sup> Paul Heck, "The Epistemological Problem of Writing in Islamic Civilization: al-Khaṭīb al-Baghdādī's *Taqyīd al-'ilm*" in *Studia Islamica* 94 (2002): 85-114.

independent of memory – were ranked in an order that conformed to the epistemological conditions of revealed knowledge itself.<sup>16</sup> The concern of this dissertation is not mainly the subject of oral and written transmission in the history of *ḥadīth*; but rather the indications that there were epistemological concerns and considerations in the scholarship of this al-Ḥāfiẓ al-Faqīh. While Heck's conclusions are accurate, there are further dimensions to appreciating the dynamic thrust of al-Khatib's approach to knowledge. The aim of the *Taqyīd*; indeed, its purpose (and al-Khatib's other works), is to actualise the pursuit of an all-encompassing framework within which one is able to view the epistemological value of knowledge and its devotional function. In seeking this knowledge, the devotee or student needs not only to have recourse to the traditional sciences, but also requires an acute engagement with scholarship and the traditions of learning acquired through the rational discipline of jurisprudence, with al-Khatib putatively anchoring his loyalties to traditional theologians, jurists and judges; a synergy of sorts determines their relationship. One also needs to appreciate that the ascetics and the Ṣūfīs were keen contributors to the process of actualisation. Therefore, al-Khatib's approach to accessing positive knowledge is one which enshrines this all-encompassing methodology. That is the higher plane to which al-Khatib aspires and it should be seen as informing both his authorship and legacy, with intellectual integrity being achieved through such an approach.

A methodological question poses itself here. How can we extrapolate from the idiosyncrasies of al-Khaṭīb's thought broad observations and conclusions? In other words, how appropriate it is to trust that a scholarship of one person can shed light on a broader epistemological and historical context? To what extent can the study of al-Khaṭīb's scholarship contribute to our understanding of traditional *Sunnī* epistemology? The proposition advanced in the analytical reading of microhistory is useful at this point. As maintained by Giovanni Levi while assessing the potentiality of microhistory, it is possible to use minute details to draw far wider generalisation, although the initial observations were made within relatively narrow dimensions and as experiments rather than examples. The main condition is to go beyond triviality

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<sup>16</sup> Op. Cit.

and mere collection of details and facts to discern new elements, patterns and connections.<sup>17</sup>

The overall aim of this research is to present the scholarship of Abū Bakr al-Khaṭīb to modern readers as a rich source not only for the study of the history of Islam, as it has been widely depicted in many western sources due to his *magnum opus*, the voluminous *History of Baghdād*, but also for intellectual flavours in his expositions and elaborative works on the traditional science of *ḥadīth* criticism. It is hard to find an academic study explicating the relation between principles adopted in *ḥadīth* criticism and the broader framework of Islamic epistemology. For the widespread slant on the probable nature of *ḥadīth*, many gigantic rigorous efforts of classical *ḥadīth* scholars were left to no inspection and explanation. Al-Khaṭīb's effort in *ḥadīth* is to be paired as well with his illustrious understanding of the principles of speculation and criticism, and enthusiastic attention towards *fiqh* and *ʿilm* that recapture the intellectual discourse surrounding the development of Islamic epistemology. In the context of this thesis, it penetrates into a series of events and ideas that formed the scholarship of al-Khaṭīb, lifting it from mere efforts of technical appropriation in *ḥadīth* studies to the broader discussion of framing epistemological endeavour of Muslim scholarship. To achieve this, the research will consider the following major questions. (1) What is the concept of knowledge adopted in the writings of al-Khaṭīb? (2) How did epistemology affect the outlines of his methodological framework? (3) How did the framework affect his idea and articulation of *ḥadīth* criticism? Finally, it is hoped that this thesis will serve as a contribution to appreciating, first, the scholar al-Ḥāfiẓ al-Khaṭīb al-Baghdādī, and second, the scholarship of *ḥadīth* and its relation to the broader framework of Islamic epistemology.

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<sup>17</sup> Giovanni Levi, "On Microhistory," in *New Perspectives on Historical Writing*, ed. P. Burke (Cambridge, 1991), 98.

# **Chapter One:**

## **The Life of al-Khaṭīb**

## 1.0 Geographical Background

Baghdād, the main geographical focus of the present study, has been extensively studied since the encounter between Western scholarship and Islamic intellectual history, particularly its ‘Abbāsīd era. The scope of this study does not involve repetition of the multangular findings on the political and social conditions of this City of Peace. The historian of Baghdad, al-Ya‘qūbī (d. post 292/905), retrospectively attributed to the founder of the city, Caliph Abū Ja‘far al-Manṣūr (95-158/714-775) a portentous remark that Baghdad will prove to be the crossroads of the universe.<sup>1</sup> The magnum opus of al-Khaṭīb al-Baghdādī, *Tarīkh Madīnat al-Salām* was deemed indispensable by Guy Le Strange in his pioneering study on Baghdad. Marozzi recently described it as a mine of information on the city.<sup>2</sup> The political period of interest to this study is within the reign of the two ‘Abbāsīd caliphs, al-Qādir bi’l-Lāh (381-422/991-1031) and al-Qā‘im bi Amrī’l-Lāh (422-467/1031-1075).<sup>3</sup> Alongside the caliphs, there were sultans whose relationship with the former was between rivalry and interdependency. Al-Khaṭīb lived during the consequent reigns of the Būyīd sultans; Bahā’ al-Dawlah Abū Naṣr (379-403/989-1012), Sulṭān al-Dawlah Abū Shujā‘ (403-412/1012-1021), Musharrīf al-Dawlah Abū ‘Alī (412-416/1021-1025), Jalālat al-Dawlah Abū Ṭāhir (416-435/1025-1043), Abū Kālījār Marzubān (435-440/1043-1048) and al-Malik al-Raḥīm Abū Naṣr (440-447/1048-1055) – who was the last of the Būyīds.<sup>4</sup> He also witnessed the rules of the first two Saljūq sultans; Tughril Beg (447-455/1055-1063) and Alp Arslan al-Basāsīrī (455-464/1063-1072) who toppled the former, although al-Khaṭīb was away from Baghdad for eleven years during their reigns.

In the context of Islamic traditionalism, the caliphs were perceived to be in support of the Sunnīs, especially the *über*-Sunnī Ḥanbalīs, and the Būyīds were

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<sup>1</sup> al-Ya‘qūbī, *Kitāb al-Buldān* (Leiden: Brill, 1860), 8, Gaston Wiet, *Baghdad: Metropolis of the Abbasid Caliphate* (Norman: University of Oklahoma Press, 1971) 10-11.

<sup>2</sup> Le Strange, *Baghdad During the Abbasid Caliphate* (Oxford: Clarendon Press, 1900), 323-326, Justin Marozzi, *Baghdad, City of Peace, City of Blood* (London: Penguin Books, 2014), 11.

<sup>3</sup> See: Hugh Kennedy, *The Court of the Caliphs: When Baghdad Ruled the Muslim World* (Da Capo Press Inc, 2006).

<sup>4</sup> John Donohue, *The Buwayhid Dynasty in Iraq 334H/945 to 403H/1012* (Leiden: Brill, 2003).

profitably tolerating them in spite of their *Shīʿī*, anti-*Sunnī* tendency. This is similar to the Saljūqs' patronage of the Ḥanafism. Cooperson highlighted the culture of sanctity to which Ibn Ḥanbal (241/855) was subjected to by his followers during this period.<sup>5</sup> This began in the aftermath of his celebrated triumph in the Inquisition of the 'Abbāsīd Caliph al-Ma'mūn. Medieval *Sunnī* sources portrayed it as an era of terrifying theologically-coated inquisition.<sup>6</sup> In the eyes of its contenders, the Ḥanbalism extremely opposed the Mu'tazilī ethos that controlled the caliphal court. Accounts of attack on scholars such as al-Khaṭīb, his student, Ibn 'Aqīl (513/1119) and previously, Ibn Jarīr al-Ṭabarī (310/923) generated multiple points of view on the idea of traditionalism within this period. On another note, Jonathan Brown observed that Baghdād's canonical culture around the *Ṣaḥīḥayn* arose between 390/400 and al-Khaṭīb's death.<sup>7</sup> The culture of serious authentication of *ḥadīth* was promoted by Ibn Ḥanbal's first generation of students. Cooperson further stated that Ḥanbalism, enjoys reception by the majority of Muslims until present day.

Building on previous scholarships, Daphna Ephrat located the period 338-656 AH/950-1258 CE as the period of transformation and transition of the Muslim societies. Ephrat claimed that during the course of these years, the *Sunnī* schools of law were developed as scholarly establishments, the nuclei of *Ṣūfī* fraternities were formed, and the formal colleges and *Ṣūfī* hostels (*khānqāh* and *ribāṭ*) were founded based on substantial pious endowments (*awqāf*).<sup>8</sup> The intellectual culture of Baghdād was exemplified by the renowned Sūq al-Warrāqīn, which placed more than a hundred booksellers' shops including highly sophisticated works on Aristotelian scholarship. According to Adamson, Baghdād rivalled fifth century

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<sup>5</sup> Ibn al-Jawzī, *Virtues of the Imam Aḥmad ibn Ḥanbal*, ed. & trans. Michael Cooperson (New York: New York Univ. Press, 2013), 1: xiv.

<sup>6</sup> Michael Cooperson, *Classical Arabic Biography* (Cambridge University Press, 2000), 38-40. *TUG*, 1:446-508. Also: 'Abd al-Ḥakīm al-Matroudi, *The Ḥanbalī School of Law and Ibn Taymiyyah: Conflict of Conciliation* (London: Routledge, 2006), Nimrod Hurvitz, *The Formation of Ḥanbalism: Piety into Power* (London: Routledge, 2002).

<sup>7</sup> Jonathan Brown, *The Canonization of al-Bukhārī and Muslim* (Leiden: Brill, 2007), 267.

<sup>8</sup> Cristopher Melchert, *The Formation of Sunnī Schools of Law, 9th-10<sup>th</sup> Centuries C.E.* (Leiden: Brill, 1997), George Maksdisi, *The Rise of the Colleges: Institutions of Learning in Islam and The West* (Edinburgh: Edinburgh University Press, 1981), Daphna Ephrat, *A Learned Society in Period of Transition, The Sunnī 'Ulamā' of Eleventh-Century Baghdād* (New York: SUNY Press, 2000).

Alexandria, thirteenth century Paris, and twentieth century Oxford.<sup>9</sup> In the midst of this development, al-Khaṭīb arose with his project of designing *ḥadīth* and *fiqh* as the foundation of traditional *Sunnī* intellectual culture in Baghdād.

## 1.1 Sources for Biography

The author has chronologically divided the primary sources into several groups. In the footnote below, the author has included the list of classical sources and studies consulted in the author's reconstruction of al-Khaṭīb's biography.<sup>10</sup>

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<sup>9</sup> Baghdād Aristotelian scholarship differs from the Avicennan approach, which made its way in Khorasan contemporaneous to the time of al-Khaṭīb. See Adamson's remark in: "Lost and Found: Newly Discovered Christian Philosophy in Arabic," accessed July 1, 2016, <http://blog.apaonline.org/2016/05/26/lost-and-found-newly-discovered-christian-philosophy-in-arabic/>.

<sup>10</sup> Sources from the first century after al-Khaṭīb's death:

ʿAbd al-ʿAzīz al-Nakhshabī (457/1065), *Muʿjam al-Shuyūkh*, (quoted by al-Samʿānī in *al-Muntakhab min Muʿjam Shuyūkh al-Nakhshabī* which was further quoted by al-Ḥamawī in *Muʿjam al-Udabāʾ*), ʿAbd al-ʿAzīz al-Kattānī (466/1074), *Dhayl Tārīkh Mawlid al-ʿUlamāʾ wa-Wafayātihim* (Riyadh: Dār al-ʿĀshimah, 1409/1988), 206, Ibn Mākūlā al-Amīr (475/1083), *Tahdhīb Mustamirr al-Awhām* (Beirut: Dār al-Kutub al-ʿIlmiyyah, 1990), 1:57-60, Abū'l-Faḍl Ibn Khayrūn (488/1095), *Tārīkh Wafayāt al-Shuyūkh*. Ibn Ṭāhir al-Maqdisī (507/1113), *al-Manthūrāt min al-Ḥikāyāt wa'l-Suʾālāt* (Riyadh: Dār al-Minhāj, 1430/2009), Ghayth ibn ʿAlī al-Ṣūrī al-Armanāzī (509/1116), *Tārīkh Ṣūr* (apud al-Dhahabī, *Tārīkh al-Islām*), Abū'l-Ḥasan al-Hamadhānī (521/1127), *Ṭabaqāt al-Fuqahāʾ* (an addendum for *Ṭabaqāt* of al-Shīrāzī) (apud al-Dhahabī, *Tārīkh al-Islām* and al-Suyūṭī, *Ṭabaqāt al-Ḥuffāẓ*), Hibat Allāh Ibn al-Akfānī (524/1130), *Dhayl Dhayl Tārīkh Mawlid al-ʿUlamāʾ wa Wafayātihim* (Riyadh: Dār al-ʿĀshimah, 1989), 32, Abū Saʿd ʿAbd al-Karīm al-Samʿānī (562/1167), *Al-Ansāb* (Beirut: Dār al-Jinān, 1988), 1:502, *Dhayl Tārīkh Baghdād* (apud al-Ḥamawī and al-Dhahabī, see below).

It is striking that al-Shīrāzī (476/1083) did not include al-Khaṭīb in his *Ṭabaqāt al-Fuqahāʾ* (Beirut: Dār al-Rāʾid, 1970), while al-Hamadhānī praised al-Khaṭīb in his *Dhayl al-Ṭabaqāt*.

From the second century after his death:

Ibn ʿAsākir (571/1176), *Tārīkh Madīnat Dimashq* (Beirut: Dār al-Fikr, 1995), 5:31-41, *Tabyīn Kadhib al-Muftarī* (Damascus: Maṭbaʿah al-Tawfīq, 1347/1928), 268-271, Ibn Khayr al-Ishbīlī (575/1180), *Fihrist Ibn al-Khayr al-Ishbīlī* (Tunis: Dār al-Gharb al-Islāmī, 2009), 143, 227(282), 212(253), 231 (292), 228, 259(345), 266(365), 279(411), 280(416), 553, ʿImād al-Dīn al-Iṣfahānī (586/1190), *Nuṣrat al-Fatraḥ*, (summarised by al-Bundārī, see below), Ibn al-Jawzī (597/1201), *al-Muntaẓam fī Tārīkh al-Mulūk wa al-Umam* (Beirut: Dār al-Kutub al-ʿIlmiyyah, 1992), 16:129-135, ʿIsā ibn Abī Bakr ibn Ayyūb al-Ḥanafī, al-Malik al-Muʿazzam (624/1227), *al-Sahm al-Muṣīb fī Kabid al-Khaṭīb*, in *Tārīkh Baghdād* (Beirut: Dār al-Kutub al-ʿIlmiyyah) *Mulḥaqāt* at the end of volume 13, Yāqūt al-Ḥamawī (626/1230), *Muʿjam al-Udabāʾ* (Beirut, Dār al-Gharb, 1993), 1:384-395, Ibn Nuṣṭah (629/1232), *Takmilat al-Ikmāl* (Saudi Arabia: Umm al-Qura Univ., 1987), 1:103-105, *al-Taḥyīd*, 1:169-171, Ibn al-Athīr (630/1233), *al-Kāmil fī al-Tārīkh* (Beirut: Dār al-Kutub al-ʿIlmiyyah, 1987), 8:390, *al-Lubāb fī Tahdhīb al-Ansāb* (Baghdād, Matkabah al-Muthanna), 1:235, 453-454, Ibn al-Najjār (643/1246), *Dhayl Tārīkh Baghdād* (apud al-Dhahabī, *Tārīkh al-*

Most of the previous studies relied heavily on the sources from the second group. Works such as *Tārīkh Wafayāt al-Shuyūkh* composed by al-Khaṭīb's student, Abū'l-Faḍl Ibn Khayrūn (488/1095) has never been noted by any biographer, as it is non-extant.<sup>11</sup> The modern study by Fedwa Malti-Douglas, whose earliest source was Ibn 'Asākir's works, has proven the effect of controversy, praise and polemic in the biographical tradition of al-Khaṭīb.<sup>12</sup> The presented perceptions concerning al-

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*Islām*), al-Bundārī al-Iṣfahānī (643/1246), *Zubdat al-Nuṣrah wa Nukhbat al-Uṣrah* (Egypt: al-Kutub al-'Arabiyyah, 1900), 42, Ibn al-Ṣalāḥ (643/1246), *Ṭabaqāt al-Fuqahā' al-Shāfi'īyyah* (Beirut: Dār al-Bashā'ir al-Islāmiyyah, 1992), 1:475.

From the third century after his death:

Sibṭ Ibn al-Jawzī, Yūsuf ibn Quzghulī (654/1256), *Mir'āt al-Zamān fī Tārīkh al-A'yān* (Beirut: Dār al-Kutub al-'Ilmiyyah, 2013), 12:486-493, al-Nawawī (676/1278), *al-Taqrīb wa al-Taysīr* (Beirut: Dār al-Kitāb al-'Arabī, 1985), 119, Ibn Khallikān (681/1282), *Wafayāt al-A'yān* (Beirut: Dār Ṣādir, 1:92-92, Abū'l-Fidā' (732/1332), *al-Mukhtaṣar fī Akhbār al-Bashar* (Egypt: al-Maṭba'ah al-Ḥusayniyyah), 2:187-188, al-Dhahabī (748/1347), *Duwal al-Islām* (Beirut: Dār Ṣādir, 1999), 1:398, *al-Ibar fī Khabar Man Ghabar* (Beirut: Dār al-Kutub al-'Ilmiyyah), 2:314-315, *Tadhkirat al-Ḥuffāz* (Beirut: Dār al-Kutub al-'Ilmiyyah), 3:1135-1146, *Tārīkh al-Islām wa-Wafayāt al-A'lām* (Beirut: Dār al-Gharb al-Islāmī, 2003), 10:175-188, *Siyar A'lām al-Nubalā'* (Beirut: Mu'assasah al-Risālah, 1985), 18:270-297, 'Umar ibn Muẓaffar Ibn al-Wardī (749/1349), *Tatimmat al-Mukhtaṣar fī Akhbār al-Bashar* (al-Maṭba'ah al-Wahbiyyah, 1285/1868), 1:374, Ibn al-Dumyātī (749/1349), *al-Mustafād min Dhayl Tārīkh Baghdād* (Beirut: Dār al-Kitāb al-'Arabī), 54-61, al-Ṣafadī (764/1363), *al-Wāfi bi al-Wafayāt* (Beirut: Dār Iḥyā' al-Turāth al-'Arabī, 2000), 7:126-132.

From the fourth century:

'Abd Allāh ibn As'ad al-Yāfi'ī (768/1367), *Mir'āt al-Jinān* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1997), 1:66-68, 'Abd al-Wahhāb ibn 'Alī al-Subkī (771/1370), *Ṭabaqāt al-Shāfi'īyyah al-Kubrā* (Beirut: Dār Iḥyā' al-Kitāb al-'Arabī), 4:29-39, 'Abd al-Raḥīm al-Asnawī (772/1371), *Ṭabaqāt al-Shāfi'īyyah* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1987), 1:99-100, Ibn Kathīr (774/1373), *al-Bidāyah wa al-Nihāyah* (Dār Hajar), 16: 27-32, *Ṭabaqāt al-Fuqahā' al-Shāfi'īyyīn* (Egypt: Maktabah al-Thaqāfah al-Dīniyyah, 1993), 1:412-413.

From the fifth century onwards:

Ibn Qāḍī Shuhbah (851/1447), *Manāqib al-Imām al-Shāfi'ī* (Damascus: Dār al-Bashā'ir 2003), 434 – 452, *Ṭabaqāt al-Shāfi'īyyah* (India: Dā'irat al-Ma'ārif, 1978), 1:254-256, Ibn Taghrī Bardī (874/1470), *al-Nujūm al-Zāhirah fī Mulūk Miṣr wa al-Qāhirah* (Beirut: Dār al-Kutub al-'Ilmiyyah), 5:89-90, al-Sakhāwī (902/1497), *Faṭḥ al-Mughīth bi-Sharḥ Alfīyat al-Ḥadīth* (Riyadh: Dār al-Minhāj, 2005), 3:230-231, *al-I'lān bi al-Tawbīkh li-man Dhamm al-Tārīkh* (Beirut: Dār al-Kutub al-'Ilmiyyah), 25-26, Ibn 'Abd al-Hādī (909/1503), *Tadhkirat al-Ḥuffāz wa Tabṣirat al-Ayqāz* (Damascus, Dār al-Nawādir, 2011), 36, al-Suyūṭī (911/1505), *Ṭabaqāt al-Ḥuffāz* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1983), 433-435, Ibn Hidāyat Allah al-Ḥusaynī (1014/1605), *Ṭabaqāt al-Shāfi'īyyah* (Beirut: Dār al-Āfāq, 1982), 164.

<sup>11</sup> Biographers of Ibn Khayrūn have never mentioned this work as well. The title of this work features in an *isnād* recorded by Ibn Nuṣṭah in *al-Taḳyīd*, 1:282 and in his work *Takmilat al-Ikmāl*, 4:334. See: TIM, 10:590.

<sup>12</sup> Fedwa Malti-Douglas, "Controversy and Its Effects in the Biographical Tradition of al-Khaṭīb al-Baghdādī," *Studia Islamica* 46 (1977): 115-131.



Khaṭīb will be evaluated throughout this study. On another important note, Bashshār ‘Awwād provided the most extensive study of al-Khaṭīb’s biography in his critical edition of *Tārīkh Baghdād*. This dissertation will provide revisions and focus on the networks concerning al-Khaṭīb.

## 1.2 Family Background and Personal Profile

Al-Khaṭīb was born of an *imām* and *khaṭīb* who used to frequent the circle of Abū Ḥafṣ al-Kattānī (390/1000), who was an eminent *muqri’*, a tradent<sup>13</sup> and a disciple of the renowned Ibn Mujāhid (324/936).<sup>14</sup> Al-Kattānī held his *qirā’āt* and *ḥadīth* classes at his mosque near the bank of the Dajāj canal.<sup>15</sup> Even though this new anecdote reveals the father’s connection to the circle of *qirā’āt* and *ḥadīth*, there is no reference as to which *madhhab* he or any family member belonged to, contrary to the suggestion of Yūsuf al-‘Ishsh.

Al-Khatib, whose teknonym is Abū Bakr<sup>16</sup>, mentioned his father in *Tārīkh Baghdād* saying:

“Alī ibn Thābit ibn Aḥmad ibn Mahdī, Abū’l-Ḥasan, al-Khaṭīb, is my father, may God be pleased with him. He was among the memorisers of al-Qur’ān ... He delivered religious sermons on the pulpit of Darzījān for about twenty years. He once exulted over the fact that he is of Arab stock and that his kindred used to ride horses. In the old time, they resided in al-Ḥaṣāṣah which is located beside Euphrates.”<sup>17</sup>

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<sup>13</sup> Biography in: Ibn al-Jawzī, *Ghāyat al-Nihāyah fī Ṭabaqāt al-Qurrā’* (Beirut: Dār al-Kutub al-‘Ilmiyyah, 2006), 1:518-519.

<sup>14</sup> His famous work is *Kitāb al-Sab’ah fī al-Qirā’āt*. See: Mustafa Shah, “The Early Arabic Grammarians’ Contributions to the Collection and Authentication of Qur’anic Readings: The Prelude to Ibn Mujāhid’s *Kitāb al-Sab’a*,” *Journal of Qur’anic Studies* 6:1 (2004): 72-102.

<sup>15</sup> ‘Umar ibn Ibrāhīm al-Kattānī, *Juz’ min Ḥadīth Abū Ḥafṣ al-Kattānī* (Mss. Dār al-Kutub al-Ṣāḥibiyah, Col. 40/21), 1.

<sup>16</sup> No reason was given for this teknonym, whether it refers to an offspring or not. It is also interesting to note that a sect adopted a negative view on the teknonym Abū Bakr. Bakr Abū Zayd noted in *Ṭabaqāt al-Nassābīn*, that the first to write on genealogies of Ṭālibiyyīn was Abū’l-Ḥusayn Yaḥyā al-‘Alawī al-‘Aqīqī. Amongst his works is *al-Radd ‘ala al-Rāfiḍah wa Ahl al-Makr fī Man’i al-Takannī bi Abī Bakr*. Apart from including al-Khaṭīb amongst experts on genealogy, Abū Zayd also affirmed al-Khaṭīb’s consultation of al-‘Aqīqī’s dictionary on genealogy. See: *Ṭabaqāt al-Nassābīn* (Riyadh: Dār al-Rushd, 1987), 68.

<sup>17</sup> TMS, 13:279.

Alternatively, Abū Saʿd al-Samʿānī (562/1167) referred to al-Khaṭīb as al-Thābitī, connecting him back to his grandfather, Thābit.<sup>18</sup>

A disagreement was presented by most biographers concerning al-Khaṭīb's year of birth, despite the fact that he had already clarified it in *Tārīkh Baghdād* affirming the year 392/1002.<sup>19</sup> This was supported by assertions of students in various sources.<sup>20</sup> More than two centuries after the demise of al-Khaṭīb, al-Ṣafadī (764/1363) mentioned that he was born in ʿIrāq, specifically in a village near Nahr al-Malik (the King's Canal) known as Hanīqiyā.<sup>21</sup>

### 1.3 The Title and *Khaṭīb*ship

In her study, Ephrat listed several traditional positions in Baghdād where the top-level legal professions exist: *qāḍī*ship (judge) and *muftī*ship (official reference for religious verdicts), followed by several other professions such as *shāhid* (court witness) and *khaṭīb* (official preacher at mosque). *Qāḍī*ship and *khaṭīb*ship were high-ranking offices often secured by grand scholars who thrived outside the nascent *madrasah* system.<sup>22</sup> *Khaṭīb*ship in Baghdād was mainly carried out by the Hāshimīs, who were often Ḥanbalīs.<sup>23</sup> Therefore, it is possible that a person being a *khaṭīb* in Baghdād would have been a member of the Ḥanbalī *madhhab*.

As for Aḥmad ibn ʿAlī, Ibn Kathīr (774/1373) was the first to state that he was referred to as '*al-Khaṭīb al-Baghdādī*' as a result of him delivering sermons in

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<sup>18</sup> al-Samʿānī, *al-Ansāb*, 1:502. Ibn Nuqṭah stated that al-Samʿānī frequently mentioned al-Khaṭīb by this affiliation. *Takmilat al-Ikmāl*, 1:545. Likewise, Ibn al-Athīr in *al-Lubāb*, 1:235.

<sup>19</sup> He stated: 'I was born on Thursday, 6th of Jumādā al-Ākhirah, 392 AH (1002 CE).' *TMS*, 13:135. I have consulted modern astronomical calculation to confirm the accuracy of the date and the day.

<sup>20</sup> Related by Ghayth ibn ʿAlī (*apud TDQ*, 5:34 and *HMDB*, 1:385) and Abū Maṣṣūr Ibn Khayrūn: *Siyar*, 18:274. The disagreement repeatedly copied in later sources stems from Ibn al-Jawzī's *al-Muntaẓam*.

<sup>21</sup> al-Ṣafadī mentioned the *ḍabt* (spelling) of the name and said: 'That was how I found it *maḍbūtan* (spelled elaborately).' *al-Wafayāt*, 7:126. Al-Ṣafadī provides no information on his source concerning the birthplace. Series of biographers including al-Dhahabī did not mention this point.

<sup>22</sup> Ephrat, *Learned Society*, 114.

<sup>23</sup> Ephrat's list of *khaṭībs*: *Ibid*, Appendix C, 175.

Darzījān.<sup>24</sup> Prior to him, al-Nakhshabī (457/1065) stated: ‘He used to deliver sermons in certain districts of Baghdād.’<sup>25</sup> Ibn al-Athīr (630/1233) and Bashshār ‘Awwād seems to confirm this ascription, although the latter doubted the specific mention of Darzījān.<sup>26</sup> These attributions, however, seem to reflect more on the biography of al-Khaṭīb’s father.

In Arabic, the epithet *al-khaṭīb* is not solely attributed to preaching either officially or unofficially, since a person with a high level of eloquence may also be called *al-khaṭīb*.<sup>27</sup> Ibn Ḥajar al-‘Asqalānī (852/1448) asserted that ‘*al-khaṭīb* (the eloquent) is a characteristic (*ṣifat*) of Abū Bakr Aḥmad ibn ‘Alī ibn Thābit the Ḥāfiẓ, and not his official designation.’<sup>28</sup> It characterised him as an excellent orator or proficient spokesman, especially considering his literary compositions and celebrated work on the history of the metropolis and the technicalities of *ḥadīth*. Furthermore, Abū’l-Ḥasan al-Hamadhānī (521/1127) remarked: ‘al-Khaṭīb al-Baghdādī was the chief inspector for the preachers (*khuṭabā’ wa al-wu‘āz*). He prevented them from delivering any *ḥadīth* before his inspection.’<sup>29</sup> The present study also discovered that grand judges consulted the expert Aḥmad ibn ‘Alī in verifying their collections of *ḥadīth*, a clear indication of his prominent position in

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<sup>24</sup> Ibn Kathīr was seconded by al-Ṭaḥḥān and later biographers. Al-Ṭaḥḥān ascribed to Ibn Kathīr the statement that al-Khaṭīb used to deliver sermons for Friday and ‘īdayn (two festivals) prayers. However, I did not find the mention of that in *al-Bidāyah wa al-Nihāyah*, 16:28 and neither in *Ṭabaqāt*, 1:412. See: al-Ṭaḥḥān, *al-Ḥāfiẓ al-Khaṭīb*, 30.

<sup>25</sup> Al-Ḥamawī usually used ‘*qāla al-Sam‘ānī*’. In this particular account, he notified: ‘I found this in the hand-writing of al-Sam‘ānī.’ *HMDB*, 1:390. Al-Nakhshabī’s biography: *TIM*, 10:92. See Chapter Seven on al-Sam‘ānī’s doubt concerning al-Nakhshabī’s account.

<sup>26</sup> Ibn al-Athīr, *al-Lubāb*, 1:453-454. According to Bashshār, Baghdād is about twenty-five kilometres from Darzijan and it is unlikely that a person who lived in Baghdād would deliver any sermon there on every Friday. See editorial remark of *TMS*, 1:22.

<sup>27</sup> The essayist al-Jāḥiẓ was known as *Khaṭīb al-Mu‘tazilah* and his later rival Ibn Qutaybah was rendered *Khaṭīb Ahl al-Sunnah*.

<sup>28</sup> None of the biographers of al-Khaṭīb highlighted this point before. Ibn Ḥajar gave another example saying, ‘amongst those who were designated with the title *al-khaṭīb* was Abū’l-Faḍl al-Muqri’ al-Ḍarīr. Ibn Nuṭṭah said: ‘He had never delivered even a single *khuṭbah*.’ See: *Nuzhat al-Albāb fī al-Alqāb* (Riyadh: Maktabah al-Rushd, 1989), 1:243-244.

<sup>29</sup> al-Suyūṭī, *Ṭabaqāt*, 435. For al-Hamadhānī: *TIM*, 11:375.

the *qāḍī*ship.<sup>30</sup> To most Baghdādian scholars, al-Ḥāfiẓ al-Khaṭīb al-Baghdādī was indeed the world chief scholar (*imām al-dunyā*) of his time.<sup>31</sup>

#### 1.4 Early Childhood Education

Al-Khaṭīb mentioned Hilāl ibn ‘Abd Allāh al-Ṭayyibī (422/1031), a person whom he called *mu’addibī* (my trainer) which indicates education in literacy, recitation of Qur’ān and the basic skills of Arabic language.<sup>32</sup> It is important to note here that al-Khaṭīb associated Hilāl with teaching the work of the *uṣūlī* Abū Bakr al-Ṣayrafi al-Shāfi‘ī (330/942), the disciple of the Baghdādian Shāfi‘ī leader Abū ‘l-‘Abbās Ibn Surayj (306/918).<sup>33</sup> Another teacher of this period of al-Khaṭīb’s life was Ibn al-Ṣaydalānī, Abū Bakr al-Akhram (417/1026), who taught in the Shāfi‘ī mosque of Abū ‘l-Ḥasan al-Dāraquṭnī at Dār al-Quṭn.<sup>34</sup> From him, al-Khaṭīb studied Qur’anic Readings<sup>35</sup> and Arabic literature.<sup>36</sup> The third teacher was Mansūr Abū Mansūr al-Ḥabbāl al-Muqri’ (430/1039). He was a friend of al-Khaṭīb’s father in the circle of Abū Ḥafṣ al-Kattānī, implied to be the master who taught al-Khaṭīb the knowledge of *qirā’āt*.<sup>37</sup> Despite the absence of any hint regarding al-Ḥabbāl’s *madhhab* and contrary to some biographers, the author is inclined not to limit this relation to al-

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<sup>30</sup> See Chapter Two.

<sup>31</sup> Ibn al-Athīr, *al-Kāmil*, 8:390.

<sup>32</sup> Apparently, a person is entrusted to a *mu’addib* in the early childhood. Souleyman Guindo, *al-Ta’dīb fi al-‘Asr al-‘Abbāsī al-Awwal* (Saudi Arabia: Islamic Univ. of Madinah, 2011), 327-331, Nasrat Abdel Rahman, “The Semantics of Adab in Arabic,” *al-Shajarah* 2:2 (1997): 189-207. On comparison between *adab* and the Greek concept of *paideia*, see: Nur Kirabiev, “*Paideia and Adab in Islam*,” in *Educating for Democracy: Paideia in an Age of Uncertainty*, eds. Alan Olson et al (Rowman & Littlefield Publishers, 2004).

<sup>33</sup> TMS, 16:117. See the chapter “Ibnu Surayj and the Classical Shāfi‘ī School” in: Melchert, *Formation*, 87-115.

<sup>34</sup> TMS, 6:90.

<sup>35</sup> *Qirā’āt* will be translated as Readings with capital R throughout this dissertation.

<sup>36</sup> See al-Khaṭīb’s narrations from Abū Bakr al-Akhram: TMS, 2:357, 4:603 (on al-Mubarrad), 6:448 (on Tha’lab), 6:552. Most of them are from Abū ‘Alī al-Ṭūmārī. Al-Khaṭīb related from him a *ḥadīth* on wearing *ṣūf* (woolen cloth) as in *al-Muntakhab min al-Zuhd*, 56.

<sup>37</sup> *al-Kifāyah*, 1:365.

Khaṭīb's childhood but to extend or place it at a much later period.<sup>38</sup> The early childhood background, nevertheless, challenged many studies and modern biographies that depict al-Khaṭīb as a Ḥanbalī who later converted to Shāfi'ism. Unless al-Khaṭīb adjusted these accounts, they seem to indicate an extremely early involvement with the Shāfi'ī authorities.

## 1.5 Al-Khaṭīb and Competing *Ta'liqāt* Traditions

It is assumed that al-Khaṭīb moved to the central area of Baghdād because he came across a session hosted by a Persian Shāfi'ī tradent, Ibn Rizquviyē (412/1022) at the central mosque in 403 AH/1012 CE.<sup>39</sup> It was his first official audition of traditions. He attended this single session and thereupon proceeded to the study of jurisprudence. Baghdād embodied the systematic *ta'liqah* method, which according to Melchert, was an advanced study of law leading to producing a virtual doctoral dissertation describing the juridical opinions of a legal school.<sup>40</sup> Al-Khaṭīb's first supervisor in this tradition was Abū'l-Ḥasan Ibn al-Maḥāmīlī (415/1024), a Shāfi'ī master-reference from the renowned Maḥāmīlī family.<sup>41</sup> The professor introduced him to the network of *Mukhtaṣar al-Muzānī*, a primer on which the teacher based his own *ta'liqah*.<sup>42</sup> He also authored works in Shāfi'ī jurisprudence.

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<sup>38</sup> Ahmed suggested that this happened in his early childhood since he mistakenly stated that Maṣṣūr al-Ḥabbāl died in 403 AH/1013 CE, in which al-Khaṭīb was only 11 years old. Likewise, al-'Umarī and al-Dābī. Maṣṣūr al-Ḥabbāl died in 430 AH/1039 CE in which al-Khaṭīb was 38 years old. See: TMS, 6:61-62, *al-Muntaẓam*, 16:129, Ibn al-Dumyāṭī, *al-Mustafād*, 18:54, and al-'8:54, *Mawārid*, 30.

<sup>39</sup> Muḥammad ibn Aḥmad ibn Muḥammad, Abū'l-Ḥasan: TMS, 2:211.

<sup>40</sup> *Formation*, 87.

<sup>41</sup> Aḥmad ibn Muḥammad ibn Aḥmad ibn al-Qāsim ibn Ismā'īl al-Ḍabbī. Ismā'īl was the father of the famous *muḥaddith*, al-Ḥusayn ibn Ismā'īl, Abū 'Abd Allāh. See the section on al-Khaṭīb's veteran masters. TMS, 6:25. Ephrat did not include the Maḥāmīlians amongst the Shāfi'ī families. Members of this family were great traditionalists, jurists and judges who embraced speculative method of the Baghdādian Shāfi'īs. See: 'Abd al-Karīm al-'Umarī, ed. *al-Lubāb fī al-Fiqh al-Shāfi'ī*, Ibn al-Maḥāmīlī (Madinah: Dār al-Bukhārī, 1416 H).

<sup>42</sup> A compendium of Shāfi'ī's legal thought called 'the epitome of al-Muzānī (264/878)' was chosen by the Baghdādian Shāfi'īs as the primer on which *ta'liqah* (commentary) is produced. The *ta'liqah* tradition has produced a large network of commentator-supervisors. Al-Muzānī was formerly a Ḥanafī rationalist, which might explain the selection of his text in Ibn Surayj's synthesis of traditionalism and rationalism project. See: Ahmed El Shamsy, *The Canonization of Islamic Law, A Social and Intellectual History* (Cambridge: Cambridge Univ. Press, 2013), 134-137 and 174-181.

Al-Khaṭīb simultaneously met Ibn al-Maḥāmīlī's professor, Abū Ḥāmid al-Isfarāyīnī (406/1016),<sup>43</sup> the luminary who was hailed by the Shāfi'īs, sometimes in concurrence with Abū'l-Ṭayyib al-Ṣu'lūkī (404/1014), as the third *mujaddid* (reformer) of Islamic intellectual paradigm after al-Shāfi'ī (204/820) and Ibn Surayj.<sup>44</sup> Al-Isfarāyīnī struggled to distinguish Shāfi'ism from the Mālikī Abū Bakr al-Bāqillānī's (402/1012) influential Ash'arism.<sup>45</sup> Three hundred or seven hundred students of jurisprudence supposedly attended his classes at the Fief of al-Rabī'.<sup>46</sup> He was perceived as the reformer of the Baghdādian Shāfi'ism, while Abū Bakr al-Qaffāl al-Shāshī (365/976) was deemed the founder of the Khurāsānian method.<sup>47</sup> Al-Isfarāyīnī was a former student of Abū Sulaymān al-Khaṭṭābī al-Shāfi'ī (388/998), a traditionalist who penned a work on al-Muzanī's vocabulary.<sup>48</sup>

Al-Khaṭīb presumably witnessed the dispute between al-Isfarāyīnī and Ibn al-Maḥāmīlī over the approach in instructing legal thought. Al-Isfarāyīnī preferred the comparative method and his *ta'līqah* produced fifty volumes supplied with the opinions of numerous scholars. Ibn al-Maḥāmīlī, on the other hand, preferred a simplified method, which excluded the views of the Ḥanafīs.<sup>49</sup> He was a close colleague of Abū Ya'lā Ibn al-Farrā' (458/1066), the scholar who revitalised the Ḥanbalī legal school. He held an official position in judgeship and was perceived to

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<sup>43</sup> Claude Gilliot, "Abū Ḥāmid al-Isfarāyīnī," in *The Encyclopaedia of Islam Three*, ed. G. Krämer et al. (Leiden: Brill, 2009), 34-36.

<sup>44</sup> A study by Landau-Tasserion suggests that students of al-Shāfi'ī invented the *mujaddid* tradition in the early ninth century to legitimise his innovations. Her view on al-Shāfi'ī's legal principles is contestable. Melchert had added some discussion related to Ibn Surayj and the anti-Ḥanafī edge of the tradition. See: Ella Landau-Tasserion, "The 'Cyclical Reform': A Study of the Mujaddid Tradition," *Studia Islamica* 70 (1989): 99, Melchert, *Formation*, 107-108.

<sup>45</sup> As recounted by Abū al-Ḥasan al-Karajī al-Shāfi'ī (*apud* Ibn Taymiyyah, *Dar' Ta'āruḍ al-'Aql wa'l-Naql* (Riyadh: Univ. of Imam, 1991), 2:95-101.

<sup>46</sup> Located at the Mosque of Ibn al-Mubārak. See: *TMS*, 6:20, Ibn al-Ṣalāh, *Ṭabaqāt*, 1: 375, *TIM*, 9: 101.

<sup>47</sup> al-Isfarāyīnī's student, Abū 'Alī al-Sanjī was recognised as the first to combine both methods in his *ta'līqah*.

<sup>48</sup> al-Subkī, *Ṭabaqāt*, 3:290.

<sup>49</sup> The disputed was over Ibn al-Maḥāmīlī's works *al-Muqni'* and *al-Mujarrad*, which he composed from the *Ta'līqah*'s of al-Isfarāyīnī and excluded the comparative content. It was not concerning any list pertaining to identification of reformer as ambiguously suggested by Melchert. See: Ibn al-Ṣalāh, *Ṭabaqāt*, 1:368, al-Nawawī, *Tahdhīb al-Asmā' wa al-Lughāt* (Beirut: Dār al-Kutub al-'Ilmiyyah), 2:210.

be influenced by the *uṣūlī* thought of Ash‘arism (although he was against them in the subject of Divine attributes).<sup>50</sup> Al-Khaṭīb similarly learned from this judge of Banū Ya‘lā whose vision of Ḥanbalism was exemplified in his *al-Uddah fī Uṣūl al-Fiqh*.<sup>51</sup>

Al-Khaṭīb also frequented other disciples of al-Isfarāyīnī such as the judge Abū’l-Ḥasan al-Māwardī (449/1058)<sup>52</sup> and Sulaym ibn Ayyūb, Abū’l-Faṭḥ al-Rāzī (447/1055). Both were deemed *aṣḥāb al-wujūh*, eminent jurists amongst the Shāfi‘īs. Sulaym learned the whole *ta’līqah* from al-Isfarāyīnī and defeated the method of Ibn al-Maḥāmīlī.<sup>53</sup> He eventually became the first propagator of Baghdādian Shāfi‘ism in Tyre, a place al-Khaṭīb later on resided.<sup>54</sup> Al-Māwardī on the other hand was the luminary who combined the Baghdādian Surayjī method and the Baṣran method, which had been employed by disciples of Ibn Surayj such as Abū ‘Abd Allāh al-Zubayr ibn Aḥmad al-Zubayrī (317/929) and al-Qāḍī Abū’l-Qāsim ‘Abd al-Wāḥid al-Ṣaymarī (post 386/996).<sup>55</sup>

Al-Khaṭīb expressed his frustration with Ibn al-Maḥāmīlī concerning *ḥadīth* particularly the collection of his great grand-uncle. He was fortunate to subsequently meet and study under the integrative al-Qāḍī Abū’l-Ṭayyib al-Ṭabarī (450/1058) who was a student of several eminent Shāfi‘ī jurists<sup>56</sup> and leading

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<sup>50</sup> Muḥammad ibn al-Ḥusayn, Abū Ya‘lā Ibn al-Farrā’ (458/1066). His son is Muḥammad Abū’l-Ḥusayn Ibn Abī Ya‘lā (526/1131), the author of *Ṭabaqāt al-Ḥanābilah* (Saudi Arabia: Kingdom of Saudi Arabia 100 Years Publication, 1999). See: Melchert, *Formation*, 153. Cf. Hurvitz, *Ḥanbalism*, 84-87 and al-Matroudi, *Ḥanbalī School*, 13.

<sup>51</sup> *TMS*, 3:55. For the Ḥanbalī family Banū Ya‘lā, see: Ephrat, *Learned Society*, 155, and the final chapter of this dissertation.

<sup>52</sup> *TIM*, 9:751.

<sup>53</sup> Ibn al-Ṣalāḥ, *Ṭabaqāt*, 1:479.

<sup>54</sup> *TIM*, 9:694.

<sup>55</sup> Melchert, *Formation*, 101. Biography of al-Zubayrī, see: Ibn Kathīr, *Ṭabaqāt*, 201, and al-Khaṭīb’s library, next chapter. For al-Ṣaymarī, see: al-Isnawī, *Ṭabaqāt*, 2:37.

<sup>56</sup> Ṭāhir ibn ‘Abd Allāh ibn Ṭāhir, Abū’l-Ṭayyib al-Ṭabarī, a student of several *aṣḥāb al-wujūh* in the Shāfi‘ī *madhhab* such as the *ṣufī* and *mutakallim* student of Ibn Surayj, Abū Sahl al-Ṣu‘lūqī (369/980), Abū’l-Ḥasan al-Māsarjisī (384/994), Abū Muḥammad al-Bāfi (398/1007), the student of Ibn al-Qāṣṣ al-Ṭabarī, Abū ‘Alī al-Zajjājī (before 400/1010), and certainly Abū Ḥāmid al-Isfarāyīnī. Abū’l-Ṭayyib also learned *kalām* from the Ash‘arī theologian, Abū Ishāq al-Isfarāyīnī al-Shāfi‘ī (418/1027). See: *TMS*,

traditionists such as al-Ḥāfiẓ Abū'l-Ḥasan al-Dāraqutnī (385/995) and al-Ḥāfiẓ Abū Aḥmad al-Ghiṭrifi al-Jurjānī (377/987), the author of *al-Musnad al-Ṣaḥīḥ*.<sup>57</sup> Abū'l-Ṭayyib was a well-versed traditionalist himself.<sup>58</sup> He came to Baghdād and studied under al-Isfarāyīnī until he was deemed more proficient than him in jurisprudence and in his own *ta'liqah*.<sup>59</sup> The Ḥanbalī al-Ḥāfiẓ Ibn al-Jawzī (656/1258) marked the influence of Abū'l-Ṭayyib on al-Khaṭīb by mentioning only him as his professor in jurisprudence.<sup>60</sup>

The relationship between the Shāfi'īs and the Ḥanafīs in this period could be appreciated from recorded accounts of Abū'l-Ḥasan al-Hamadhānī. Juridical debates took place between al-Isfarāyīnī and Abū'l-Ḥusayn al-Qudūrī (428/1037), the leading Ḥanafī scholar in Baghdād.<sup>61</sup> Al-Qudūrī authored the *Mukhtaṣar*, which paralleled in fame the *Mukhtaṣar* of former Ḥanafīs Abū Ja'far al-Ṭaḥāwī (321/933) and Abū'l-Ḥasan al-Karkhī (340/952).<sup>62</sup> He also penned a commentary on the *Mukhtaṣar al-Ṭaḥāwī* similar to the teacher of his teacher, Abū Bakr al-Jaṣṣāṣ (370/981).<sup>63</sup> Al-Qudūrī's work, *al-Tajrīd* encompassed the opinions of the two schools. Al-Khaṭīb did not miss learning from al-Qudūrī and befriended his disciple who became the chief

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10:491, al-Subkī, *Ṭabaqāt*, 5:12. For *aṣḥāb al-wujūh*, see: Wael Hallaq, *Authority, Continuity and Change in Islamic Law* (Cambridge: Cambridge Univ. Press, 2001), 10-11.

<sup>57</sup> 'Alī ibn 'Umar al-Dāraqutnī, the great Baghdādian Shāfi'ī traditionalist whose excellence was said to have not been matched except by al-Khaṭīb. See: Jonathan Brown, "Criticism of the Proto-Hadith Canon: al-Daraqutni's Adjustment of al-Bukhari and Muslim's Sahih," *Journal of Islamic Studies* 15:1 (2004): 1-37. For al-Ghiṭrifi who was also a student of Ibn Surayj, see: *Siyar*, 16:354.

<sup>58</sup> See his appeal to the method of *salaf* in: *al-Radd 'alā Man Yuḥibb al-Samā'* (Tanta: Dār al-Ṣaḥābah, 1990).

<sup>59</sup> It is titled *al-Ta'liqah al-Kubrā fī al-Furū'* (edited for PhD Diss., Islamic Univ. of Madinah) and considered one of the best representatives of *ta'liqāt* tradition. The researchers opine that most arguments provided by Abū Ishāq al-Shīrāzī in *al-Muḥadhdhab* were taken from Abū'l-Ṭayyib. It is, hence, not an overstatement to say that similar texts and passages found in the works of al-Khaṭīb and Abū Ishāq might have been learned from this professor.

<sup>60</sup> *al-Muntaẓam*, 8:265. See relationship between al-Khaṭīb and Abū'l-Ṭayyib in *TMS*: 3:88, 3:167, stories in 11:430, 13:81, evaluation of narrators in 14:285, hypothetical cases in 3:158, 4:371.

<sup>61</sup> Brannon Wheeler, "Identity in the Margins: Unpublished Hanafī Commentaries on the *Mukhtaṣar* of Aḥmad ibn Muḥammad al-Qudūrī," *Islamic Law and Society* 10-2 (2003): 182-209.

<sup>62</sup> Melchert, *Formation*, 116-123 (al-Ṭaḥāwī), 125-129 (al-Karkhī).

<sup>63</sup> al-Qudūrī studied under Abū 'Abd Allāh al-Jurjānī al-Baghdādī, who was a student of al-Jaṣṣāṣ. See: Melchert, *Formation*, 64 (al-Jurjānī) and 128 (al-Jaṣṣāṣ).



judge, Abū ‘Abd Allāh al-Dāmaghānī al-Ḥanafī (478/1086).<sup>64</sup> Abū’l-Ṭayyib al-Ṭabarī once became a witness at al-Dāmaghānī’s court and lauded him as more knowledgeable on al-Shāfi‘ī’s legal thought than most of his Shāfi‘ī peers. Al-Hamadhānī reported that al-Damaghānī was a man of humour like Abū’l-Ṭayyib’s student and al-Khaṭīb’s colleague, Abū Ishāq al-Shīrāzī al-Shāfi‘ī (476/1083). When the two of them met in a session, it became a joyful one.

Al-Dāmaghānī’s court also received Abū’l-Faḍl Ibn ‘Amrūs al-Bazzāz (452/1060) as a witness. Al-Khaṭīb stated that he was the leading Mālikī jurist and legal theorist whose excellence in Mālikī legal thought had no match in Baghdād. Al-Khaṭīb learned from him at the central mosque.<sup>65</sup> Ibn ‘Asākir (571/1176) attributed him to Ash‘arism.<sup>66</sup> Most biographers of al-Khaṭīb have neglected this figure although he was an important link between al-Khaṭīb and al-Bāqillānī. This authority, as can be observed throughout *al-Kifāyah*, transmitted fundamental concepts related to the criticism of *ḥadīth* taught by al-Bāqillānī. Al-Bāqillānī’s influence on al-Khaṭīb was obfuscated due to the narrative of al-Khaṭīb’s Shāfi‘ism presented by numerous biographers.

Another teacher of al-Khaṭīb from the Ḥanafī side was Abū ‘Abd Allāh al-Ṣaymarī (436/1045).<sup>67</sup> He attended the *ḥadīth* sessions of al-Dāraqūṭnī with al-Isfarāyīnī. However, he left when al-Dāraqūṭnī discredited the renowned al-Qāḍī Abū Yūsuf al-Ḥanafī (182/798) in a narration.<sup>68</sup> Al-Khaṭīb, nevertheless, narrated a significant portion from al-Ṣaymarī especially with regards to biographies of the Ḥanafīs and the Mu‘tazilīs.

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<sup>64</sup> Muḥammad ibn ‘Alī, a leading Ḥanafī jurist during his time. He began his study in Khurāsān, migrated to Baghdād and studied under al-Qudūrī and al-Ṣaymarī. He also learned from Abū’l-Ḥasan, a student of al-Isfarāyīnī. When he died, his body was washed by the Ḥanbalī Ibn ‘Aqīl. *TIM*, 10: 433.

<sup>65</sup> al-Khaṭīb stated: ‘*Intahat ilayhi al-fatwā fī Baghdād.*’ See: *TMS*, 3:589.

<sup>66</sup> *Tabyīn*, 264.

<sup>67</sup> He is al-Qāḍī al-Ṣaymarī, al-Ḥusayn ibn ‘Alī, Abū ‘Abd Allāh al-Ḥanafī, the master-reference of the Ḥanafīs of Baghdād. Amongst his works are *Akhbār Abū Ḥanīfah wa Aṣḥābihi* and *Masā’il al-Khilāf fī Uṣūl al-Fiqh*. Both have been published. See: al-Dārī al-Ghazzī, *al-Ṭabaqāt al-Saniyyah fī Tarājim al-Ḥanafīyyah* (Cairo: Dār al-Rifā‘ī, 1970) 3:153.

<sup>68</sup> *TMS*, 8:634.

Within this atmosphere of juridical encounters, al-Khaṭīb experienced inter and intra school exchanges and debates amongst the traditional *fuqahā'*, particularly the Shāfi'īs and the Ḥanafīs. Abū'l-Ṭayyib had once told him al-Isfarāyīnī's account on the Shāfi'ī leading jurist Abū'l-Qāsim al-Dārakī (375/986). Al-Isfarāyīnī lauded al-Dārakī and remarked that whenever al-Dārakī's legal opinion differed from al-Shāfi'ī and Abū Ḥanīfah (150/767), he asserted: 'Woe on you people! So-and-so reported from so-and-so that the Prophet said it this way. The acceptance of the *ḥadīth* from the Prophet is worthier than the acceptance of the statements of al-Shāfi'ī and Abū Ḥanīfah, if they contradict it.'<sup>69</sup> Compared to other biographers, al-Khaṭīb's biographical entry of al-Dārakī clearly emphasised his role in *ḥadīth* rather than his role as a Shāfi'ī jurist.<sup>70</sup>

Towards the end of al-Isfarayīnī's life, al-Khaṭīb attended once again the sessions of Ibn Rizquviyē at the central mosque and accompanied the tradent until his demise.<sup>71</sup> During this period, al-Khaṭīb gradually developed the skill to perform *takhrīj* until he was trusted to analyse Ibn Rizquviyē's transmissions.<sup>72</sup> He also attended the session at the mosque after Ibn Rizquviyē's, which was hosted by Muḥammad ibn 'Abd Allāh ibn Ābān al-Hītī (410/1020), who came to Baghdād from Hīt in 406 AH/1016 CE.<sup>73</sup> Al-Khaṭīb praised him for his pious character, but he also criticised his lack of care concerning *ḥadīth* narration and its principles. Both tradents, however, transmitted derogatory remarks pertaining to Abū Ḥanīfah, reflecting a more critical stance within the circle of *ḥadīth* transmission than the stance adopted by al-Khaṭīb's professors in jurisprudence.

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<sup>69</sup> TMS, 12:236.

<sup>70</sup> See the comparative study of biographical tradition of al-Dārakī in: R Kevin Jacques, *Authority, Conflict and the Transmission of Diversity in Medieval Islamic Law* (Leiden: Brill, 2006), 71-75.

<sup>71</sup> TMS, 2:211. Al-Ṭaḥḥān and Habeeb Malik stated that al-Khaṭīb returned to Ibn Rizquviyē after the demise of al-Isfarāyīnī, whereas al-Khaṭīb had already mentioned that he returned in the early of 406AH /1016CE.

<sup>72</sup> *al-Jāmi'* 2:88. On *takhrīj* in *ḥadīth* studies, see Chapter Six. This account shows a very early mastery of *ḥadīth* criticism contrary to the impression made by some biographers.

<sup>73</sup> TMS, 3: 512.

## 1.6 Journeys of Seeking Knowledge

Within the city of Baghdād, al-Khaṭīb strove to meet almost every knowledgeable person in *ḥadīth* and opinions of former scholars. He recorded aural sessions from several areas, namely Bāb al-Shām, Bāb al-Shaʿīr and Sūq al-Ṭaʿām.<sup>74</sup> He even travelled frequently to ʿUkbarā<sup>75</sup> and recorded his presence in Baṣrah several times. A biographer suggested that he passed by Kūfah during the first visit to Baṣrah, albeit without clear evidence.<sup>76</sup> The two cities were indeed amongst the centres of learning during this period.

### 1.6.1 Nishapur

Nishapur was a metropolis to which al-Ḥāfiẓ al-Sakhāwī (902/1497) attributed the epithet *Dār al-Sunnah wa al-ʿAwālī* (City of *Sunnah*'s transmission and superior living *isnāds*).<sup>77</sup> Around the beginning of 415 AH/1024 CE, al-Khaṭīb was in a dilemma of choosing between travelling to the *musnid* of the Egyptian provinces, Abū Muḥammad Ibn al-Naḥḥās (416/1025) and travelling to Nishapur where students of the Shāfiʿī grand tradent Abū'l-ʿAbbās al-Aṣamm (46/958) prospered.<sup>78</sup> Ibn al-Naḥḥās possessed distinct classic *samāʿāt* (audition transcripts or experiences) returning back to 331 AH/943 CE, while Nishapur offered scores of meetings.<sup>79</sup> He

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<sup>74</sup> He audited Abū Naṣr ibn ʿAbdūs at the central mosque in 407AH, *TMS*, 5:527-528, Tarkān ibn al-Faraj at Bāb al-Shām in 408AH, 8:10-11, al-Ḥasan ibn ʿUbayd Allāh al-Hummānī at his shop at Bāb al-Shaʿīr, 8:318 and Abū'l-Qāsim al-Yashkurī, 8:452.

<sup>75</sup> He learned from authorities such as Abū'l-Ṭayyib al-ʿUkbarī. *TMS*, 2:128.

<sup>76</sup> *ISH*, 20. Al-ʿIshsh's suggestion was seconded by Munīr al-Dīn in *Muslim Education*, 14, al-Ṭaḥḥān in *al-Ḥāfiẓ al-Khaṭīb*, 35, al-Turābī in *al-Khaṭīb al-Baghdādī*, 14, al-ʿUmarī in *Mawārid*, 35 and Habeeb Malik in *Educational Theory*, 21. See: *HMDB*, 1:384 and *TDQ*, 5:31 and 40. Both did not mention any specific time.

<sup>77</sup> al-Sakhāwī, *al-Iʿlān*, 666. See: Richard Bulliet, "The Political-Religious History of Nishapur in the Eleventh Century," in *Islamic Civilization 950-1150*, ed. D.S. Richard (Oxford: Bruno Cassirer Ltd, 1973), 71-91. On the Shāfiʿī *madhhab* in Nishapur, see: Heinz Helm, *Die Ausbreitung der šāfiʿitischen Rechtsschule von den Anfängen bis zum 8./14. Jahrhundert*, (Wiesbaden: Dr. Ludwig Reichert Verlag, 1974). For Shāfiʿism and other religious thoughts in Khurāsān, see: Wilfred Madelung, *Religious Trends in Early Islamic Iran* (New York: Bibiliotheca Persica, 1988).

<sup>78</sup> al-Subkī, *Ṭabaqāt*, 4:30.

<sup>79</sup> *TIM*, 9:270-271.

eventually chose Nishapur following advice from his *ḥadīth* professors. The journey, accompanied by his friend ‘Alī ibn ‘Abd al-Ghālīb Ibn al-Qunnī (450/1058),<sup>80</sup> allowed them to visit Nahrāwān,<sup>81</sup> Daskarat al-Malik,<sup>82</sup> Ḥulwān,<sup>83</sup> Dīnawar,<sup>84</sup> Asad’abād, Hamadhān,<sup>85</sup> Sāveh and Rayy.<sup>86</sup> Nishapur harboured numerous centres of learning even before the establishment of the Nizāmiyyah College in 458 AH/1066 CE, while Hamadhān was also named by al-Sakhāwī as *Dār al-Sunnah*.<sup>87</sup> Al-Khaṭīb returned to Baghdād between 416 AH/ 1025 CE and 417 AH/1026 CE at the age of 25 and was celebrated by his own professors from the schooling.

### 1.6.2 Isfahan

The second-long journey made by al-Khaṭīb was to Isfahan. It occurred approximately towards the end of 421 AH/1030 CE as indicated by an incident in *Tārīkh Baghdād*.<sup>88</sup> Al-Khaṭīb recorded meeting Rawḥ ibn Muḥammad (423/1032), the grandson of the Shāfi‘ī Ibn al-Sunnī (364/974) at Karaj in this year, implying a place he stopped by during the journey.<sup>89</sup> Furthermore, an account confirms that he was

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<sup>80</sup> al-Sam‘ānī, *al-Ansāb*, 4:555.

<sup>81</sup> TMS, 13:233, 13:324 and 13:581.

<sup>82</sup> TMS, 5:92. Al-Ya‘qūbī illustrated that to go to Ḥulwān from Baghdād, one has to take Jisr al-Nahrāwān, then Daskarat al-Malik, then Ṭarāristān or Nahrāwān, then Jalawlā’, then Khānaqīn, then the Castle of Shīrīn, then arrive at Ḥulwān. See: *al-Buldān*, 45-46.

<sup>83</sup> They met here a *Ṣūfī* authority, Abū Ṭālib Yaḥyā ibn ‘Alī al-Daskarī (431/1040), who was known as the servant of the mendicants (*al-fuqarā’*), a *muḥaddith* and a judge. According to al-Ṣarīfīnī, people from other cities came to listen from him in search of blessings. See: *al-Muntakhab min Kitāb al-Siyāq li-Tārīkh Naysābūr* (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1989), 484. For al-Khaṭīb’s narrations from him in Ḥulwān, see: *Talkhīṣ al-Mutashābih*, 1:100, 403, and 2:800.

<sup>84</sup> They learned from the grandson of Ibn al-Sunnī, the student of al-Nasā‘ī, although al-Khaṭīb had met him before in Baghdād. See: TMS, 9:431.

<sup>85</sup> TMS, 4:524, 8:133 and 12:431. Also 2:6 and 298, 12:251.

<sup>86</sup> TMS, 5:135, 11:393 and 15:548. Also 12:416-417.

<sup>87</sup> al-Sakhāwī, *al-I‘lān*, 665.

<sup>88</sup> TMS, 2:544. Also: Lambton, A.K.S. et al, “Isfahān” in *The Encyclopaedia of Islam, New Edition*, eds. P. Bearman et al (Leiden: Brill, 2006), 4:97-107.

<sup>89</sup> TMS, 9:397.

in Isfahan in Rabī' al-Awwal of 422 AH/1031 CE.<sup>90</sup> He was sent by his professor, al-Ḥāfiẓ al-Barqānī (425/1034) to learn from al-Ḥāfiẓ Abū Nu'aym al-Iṣfahānī (430/1039).<sup>91</sup> Throughout the time there, he also extended his interest to former students of the famous rare traditions collector, al-Ḥāfiẓ Abū'l-Qāsim al-Ṭabrānī (360/971) and even more to students of Abū Nu'aym's rival, al-Ḥāfiẓ Ibn Mandah al-Iṣfahānī (395/1005).<sup>92</sup> He also travelled to Jarbādhiqān to record biographies of Ṣūfīs from a student of Ma'mar ibn Aḥmad al-Zāhiḍ (418/1027), a great Ṣūfī master of Isfahan.<sup>93</sup> The duration of his stay in Isfahan is not clear, but an event recorded in *Tārīkh* confirms that he was back in Baghdād in Shawwāl of the same year.<sup>94</sup> Several other short travels to Nahrāwān,<sup>95</sup> Ba'qūbā, and Jalultā are recorded in the period after this journey.<sup>96</sup>

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<sup>90</sup> Ibid, 4:160-161.

<sup>91</sup> See al-Khaṭīb's teacher below. The content of the letter: 'Had earnestly executed on a travel to you, our respected brother Abū Bakr, Aḥmad ibn 'Alī ibn Thābit to benefit from your knowledge and to obtain the advantage of your narrations of *ḥadīth*. He had already possessed advance knowledge in this matter with established efforts and sagacious understanding. He had travelled for the sake of *ḥadīth* and to seek exceptional narrations, in which he had managed to acquire items, which are not available to many of his fellow confreres. Those qualities will appear to you through assemblages as well as other forms of piousness, conscientiousness and trustworthiness, which will beautify his personality before your eyes and elevate his status before your thought. I am full of hope should these qualities are proven in your respect that you would offer him a kind assistance and your precious time. Likewise, I hope you would bear with him should he become over laborious and impetuous as our predecessors in the old days used to bear with their successors in such heavy situations. Furthermore, they had given those who deserved special time, attention and recognition, which were not usually offered to the rest of the students.'

<sup>92</sup> Muḥammad ibn Ishāq ibn Yaḥyā, Abū 'Abd Allāh, see: *Sīyar*, 17:28. For al-Ṭabrānī, see: 16:119.

<sup>93</sup> Biography of Abū Maṣṣūr: *TIM*, 9:302. See al-Khaṭīb's narration from Ibrāhīm ibn Hibat Allāh from Abū Maṣṣūr in *TMS*, 2:80, 3:206, 6:397.

<sup>94</sup> *TMS*, 5:492.

<sup>95</sup> In 427 AH/1036 CE, al-Khaṭīb audited from al-Ḥasan ibn Fahd in Nahrawan. This indicates a second visit to the city. *TMS*, 8:413.

<sup>96</sup> He learned from the judge of Ba'qūba, Muḥammad ibn al-Ḥusayn Ibn Ḥamdūn (430/1039). See: *TMS*, 3:48. The third visit to Nahrawan was in 430 AH/1039 CE where he met Abū Ṭālib ibn Shahfīrūz (456/1064) in the village called Jalultā. See: al-Ḥamawī, *Mu'jam al-Buldān* (Beirut: Dār Ṣādir, 1977), 2:155, *TMS*, 15:202.

### 1.6.3 Makkah, Jerusalem and the Cities of Shām

Al-Khaṭīb decided to perform pilgrimage to Makkah in 445 AH/1054 CE and recorded him crossing through the desert of Samāwah heading towards Damascus in the month of Ramaḍān.<sup>97</sup> Eventually, he departed from Ḥijāz in Ṣafar of 446 AH/1054 CE leaving no indication of a visit to Madīnah as is the custom of most Muslims. He stated that he came across Bayt al-Maqdis on his way back from pilgrimage and stayed there momentarily.<sup>98</sup> He recorded his presence in Damascus in Jumādā al-ʿŪlā of the same year and eventually in Tyre.<sup>99</sup> Presumably, by the end of that year, he arrived in Baghdād and continued learning, for instance at the al-Muʿallā canal.<sup>100</sup>

This is the end of al-Khaṭīb's long journey of seeking knowledge. Apparently he had taken other journeys. However, there is insufficient information regarding the date and the duration. Amongst others was the journey to Jarjarāyā where he acquired lessons from the judge Bakrān Ibn al-Aṭrūsh al-Saqatī (n.d.).<sup>101</sup> Another was to al-Anbār, which presumably took place after 423 AH/ 1032 CE.<sup>102</sup> The third was to Ṣaydā (Sidon) where he recorded auditing several authorities, which could have possibly occurred during any of his visits to Damascus and Tyre.<sup>103</sup>

## 1.7 Teachers and Networks

Based on the previous journeys, one could expect that al-Khaṭīb met and acquired knowledge from a number of key individuals. If one were to extrapolate

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<sup>97</sup> TMS, 11:375.

<sup>98</sup> Ibid, 2:316.

<sup>99</sup> Ibid, 12:297.

<sup>100</sup> See Ibn al-Khaḥfāf: Ibid, 6:124.

<sup>101</sup> TMS, 16:306. Al-Khaṭīb mentioned his visit to the grave of Abū Bakr al-Mufīd at Jarjarāyā in 2:204. See for Bakrān: Ibn Nuqṭah, *Takmilat al-Ikmāl*, 3:205, and for al-Mufīd: TIM, 8:455.

<sup>102</sup> TMS, 10:460.

<sup>103</sup> al-ʿUmarī suggested that al-Khaṭīb had travelled to Mopsuestia based on a narration from al-Ḥasan ibn ʿAlī al-Faqīh. However, it seems that al-Faqīh's narration was to Abū Bakr al-Khallāl as there is an *isnād* "al-Khallāl from al-Faqīh" in TMS, 10:433 (cf. 7:595). Ahmed mentioned a journey to al-Jibāl, but he provided no reference as well.

from *Tārīkh Baghdād*, his informants reach 777 individuals of various denominations and affiliations. Abū Saʿd al-Samʿānī remarked, ‘the number of al-Khaṭīb’s teachers is beyond count.’<sup>104</sup>

### 1.7.1 Personages Whom He Described as Veteran Masters

1. Ibn Dawsat, Aḥmad ibn Muḥammad, Abū ʿAbd Allāh (407/1017), a Mālikī tradent who dictated at the central mosque.<sup>105</sup> The fact that he lost his original books and depended on memory, due to which he was accused of applying *accelerated aging* to his aural transcript (*al-samāʿ*), indicates the pervading adoption of written records for *ḥadīth* amongst its experts during this time.<sup>106</sup> In spite of this, al-Khaṭīb did acquire one volume of his traditions.
2. Muḥammad ibn Fāris Abūʾl-Faraj, Ibn al-Ghūrī (409/1019), the son of Abūʾl-Qāsim al-Ghūrī al-Wāʿiz (348/959). According to al-Khaṭīb, he was the last student of the uncongenial Ḥanbalī personage Aḥmad ibn Jaʿfar, Ibn al-Munādī (336/947) whose *ḥadīth* and books were difficult to acquire due to his personality.<sup>107</sup> Ibn al-Munādī was described as a staunch propagator of Ḥanbalism in the face of Shāfiʿism and Jarīrism.<sup>108</sup> Al-Khaṭīb attended Ibn al-Ghūrī’s session in Shawwāl 408 AH/1018 CE at the Mosque of al-Mahdī.<sup>109</sup>
3. Abūʾl-Ḥusayn, Ibn al-Mutayyam, al-Wāʿiz (409/1019), a preacher at the central mosque. The jocular yet venerable master owned an extremely

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<sup>104</sup> al-Samʿānī, *al-Ansāb*, 1:502.

<sup>105</sup> TMS, 6:320.

<sup>106</sup> This was apparently done by burying the transcript in the ground. See: Qasim Samarrai, *ʿIlm al-Iktināh al-ʿArabī al-Islāmī* (Riyadh: King Faysal Centre, 2001), 387. The case of Ibn Dawsat was quoted in the book, however, without any substantiation as well. On the problem of writing *ḥadīth*, see: Michael Cook, “The Opponents of the Writing of Tradition in Early Islam,” *Arabica* 4 (1997): 437.

<sup>107</sup> Ibn Abī Yaʿlā, *Ṭabaqāt*, 2:430. See al-Khaṭīb’s collection of his books in the next chapter.

<sup>108</sup> On the role and attitude of Ibn al-Munādī, see: Melchert, *Formation*, 153.

<sup>109</sup> TMS, 4:273–274.

superior *isnād* (*aqdam al-samāʿ*), in comparison to all the other Baghdādian teachers of al-Khaṭīb.<sup>110</sup>

4. Abū ʿUmar ibn Maḥdī al-Fāriṣī (410/1020), a personage who according to al-Dhahabī was the leading *musnid* of his time.<sup>111</sup> He was also a student of the renowned traditionist al-Qāḍī al-Ḥusayn ibn Ismāʿīl al-Maḥāmīlī al-Shāfiʿī (330/941), the chief of the Maḥāmīlians, the author of *al-Sunan*, the jurist, and the judge of Kūfah for sixty years.<sup>112</sup>
5. al-Ḥāfiẓ Abūʾl-Faṭḥ ibn Abī al-Fawāris (412/1022), a student of Abū Bakr al-Ismāʿīlī al-Shāfiʿī (371/982)<sup>113</sup> and Abū Bakr al-Ṣayrafī al-Shāfiʿī.<sup>114</sup> He was also the teacher of al-Ḥākim al-Naysābūrī (405/1014), al-Dāraquṭnī and Abū Bakr al-Barqānī. According to al-Khaṭīb, people recorded *ḥadīths* of other authorities based on his inspection.<sup>115</sup>
6. Abū Saʿad al-Mālīnī al-Harawī (412/1022), a famous tradent and *ṣūfi* master known by the sobriquet *ṭāwūṣ al-fuqarāʾ* (the peafowl of the mendicants). Al-Khaṭīb met him during his several visits to the *ribāṭ al-ṣūfiyyah* (*ṣūfi* lodges) near the central mosque in Baghdad.<sup>116</sup> Among his works are *al-Arbaʿūn fī Shuyūkh al-Ṣūfiyyah* and *al-Muʿtalif waʾl-Mukhtalif*.<sup>117</sup>

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<sup>110</sup> Biography in: *TMS*, 6:23. Narration in 408 AH/1018 CE: 4:505.

<sup>111</sup> *Siyar*, 17:221. Biography in: *TMS*, 12:263 and *TIM*, 9:153. Sessions were held at his *majlis* or *maṣjid*, see: *TMS*, 10:164 and 15:429.

<sup>112</sup> Ibn Kathīr, *al-Bidāyah wa al-Nihāyah*, 11:203, al-Ziriklī, *al-Aʿlām* (Dār al-ʿIlm liʾl-Malāyīn, 2002), 2:234. For the Maḥāmīlians, see the previous section.

<sup>113</sup> The author of *al-Mustakhraj ʿala al-Ṣaḥīḥ* and according to Brown, a rationalist *muḥaddith*. See: *Canonization*, 109.

<sup>114</sup> See the previous Hilāl al-Muʿaddib.

<sup>115</sup> Muḥammad ibn Aḥmad ibn Muḥammad; his sessions took place at the Mosque of al-Raṣāfah, *TMS*, 2:213.

<sup>116</sup> *Ibid*, 6:24.

<sup>117</sup> al-Ziriklī, *al-Aʿlām*, 1:211. *Al-Arbaʿūn* is published. The second book is on gentilics. See Chapter Six.



7. al-Ḥasan ibn Aḥmad, Abū ‘Alī ibn Shādhān (426/1035), a luminary well-versed in the method of Ash‘arī *kalām*.<sup>118</sup> Al-Khaṭīb assumably attached himself to this teacher for a lengthy period of time, using the nostalgic phrase ‘the days of Ibn Shādhān’ when referring to old days.

These biographies reveal that al-Khaṭīb’s mention of the above personages as *qudamā’ shuyūkhinā* (our veteran teachers) referred to their role in providing superior *isnāds* back to the past eminent notables. They included him in the best *ḥamalah* network in addition to conveying to him the theological, legal and *taṣawwuf* tradition of Baghdād.<sup>119</sup>

### 1.7.2 Personages Whom Were Perceived as Influential Professors

1. Abū Bakr al-Barqānī (425/1034), a leading jurist and *ḥāfiẓ* who was also a student of al-Dāraquṭnī.<sup>120</sup> He was the most intimate master to al-Khaṭīb who trained him in the *Ṣaḥīḥayn* principles. His work *al-Mustakhraj al-Ṣaḥīḥ* denotes his involvement in the *Ṣaḥīḥayn* Network.<sup>121</sup>
2. Abū Ḥāzim al-‘Abduwiyyī al-Naysābūrī (417/1026), the chief *ḥāfiẓ* of Khurasān and a Shāfi‘ī reference.<sup>122</sup> Al-Khaṭīb learned from his students in Baghdād and later directly taught by him in Nishapur.<sup>123</sup> Al-‘Abduwiyy reported Abū’l-Ḥasan al-Ash‘arī’s (324/935) statement, ‘Bear witness upon me, I do not accuse of unbelief anyone who belongs to this *qiblah* (Muslims),

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<sup>118</sup>TMS, 8:223, TIM, 9:406.

<sup>119</sup> For *ḥamalah*, see Chapter Four.

<sup>120</sup> TMS, 6:27, Siyar, 17:464.

<sup>121</sup> See the format of his *takhrīj* and its relation to the *Ṣaḥīḥayn* network in: Brown, *Canonization*, 218. See next chapter for al-Khaṭīb’s commentary on al-Barqānī.

<sup>122</sup> Ibn Kathīr, *Ṭabaqāt*, 375.

<sup>123</sup> TMS, 13:143. He claimed to have written ten thousand fasciculi of *riwāyah* from ten masters. Siyar, 17:334-335.

because they all point out to the same One God. Verily, their differences are merely in expressions.’<sup>124</sup>

3. Abū Nu‘aym al-Iṣfahānī, Aḥmad ibn ‘Abd Allāh (430/1039), the chief ḥāfiẓ of Iṣfahān and Ṣūfī author.<sup>125</sup> Abū Nu‘aym and Abū Ḥāzim were lauded by al-Khaṭīb as the only two towering ḥāfiẓ he had seen, indicating his thought on the supremacy of the Shāfi‘īs and the Ash‘arīs in ḥadīth.
4. Abū’l-Qāsim Ibn al-Sawādī al-Azharī (435/1044).<sup>126</sup> Al-Ḥāfiẓ Ibn al-Ṣalāḥ (643/1246) included him in his *Ṭabaqāt* of the Shāfi‘ī jurists. He was followed by Tāj al-Dīn al-Subkī (771/1370).<sup>127</sup> Ibn al-Ṣalāḥ highlighted that *Tārīkh Baghdād* is replete with accounts and anecdotes on the authority of al-Azharī, reflecting the professor’s influence on al-Khaṭīb.
5. Abū’l-Qāsim ‘Alī ibn al-Muḥsin al-Tanūkhī (447/1055),<sup>128</sup> a grandson of the famous Mu‘tazilī judge ‘Alī ibn Muḥammad who possessed immense knowledge in Mu‘tazilī theology, logic, architecture, astronomical science and poetry.<sup>129</sup> He was associated with Shi‘ism and Mu‘tazilism.<sup>130</sup> Al-Ḥamawī

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<sup>124</sup> Ibn ‘Asākir, *Tabyīn*, 148-149.

<sup>125</sup> TIM, 9:468, See: Abū Nu‘aym, *Ḥilyat al-Awliyā’ wa Ṭabaqāt al-Aṣfiyā’* (Beirut: Dār al-Fikr, 1996), Cristopher Melchert, “Abū Nu‘aym’s Sources for *Ḥilyat al-Awliyā’*, Ṣūfī and Traditionalist,” in *Les maîtres soufis et leurs disciples des IIIe-Ve siècles de l’Hégire (IXe-XIe)*, eds. Geneviève Gobillot et al (Beyrouth: Presses de l’Ifpo, 2012), 145-159. According to Ibn Ṭāhir, al-Khaṭīb did not include Abū Nu‘aym in his *Tārīkh Baghdād* to avoid criticising the teacher on the subject of *Juz’ Ibn ‘Āṣim*. See: *al-Manthūrāt*, 22-24 and the next chapter.

<sup>126</sup> TMS, 12:120.

<sup>127</sup> Ibn al-Ṣalāḥ, *Ṭabaqāt*, 2:583, al-Subkī, *Ṭabaqāt*, 5:232.

<sup>128</sup> TMS, 13:604.

<sup>129</sup> For the biography of the grandfather, al-Qāḍī ‘Alī, see: TIM, 7: 783-784. Also: Julia Bray, “Practical Mu‘tazilism, The Case of al-Tanūkhī,” in *Abbasid studies: Occasional papers of the School of studies Studies, Cambridge ... 2002* (Leuven: Peeters, 2004), 111-126.

<sup>130</sup> al-Dhahabī, *Mizān al-Itidāl fī Naqd al-Rijāl* (Beirut: Dār al-Ma‘rifah, 1963), 3:152.

narrated that al-Khaṭīb and al-Ṣūrī<sup>131</sup> used to stay overnight at the house of al-Tanūkhī.<sup>132</sup>

### 1.7.3 Other Connections

1. al-Qāsim ibn Jaʿfar, Abū ʿUmar al-Hāshimī al-Baṣrī (414/1023), a Shāfiʿī judge. Abū ʿUmar received *Sunan Abū Dāwūd* from Abū ʿAlī al-Luʿluʿī, from the author himself.<sup>133</sup> He was the transmitter of the work to al-Khaṭīb.
2. Ismāʿīl ibn Aḥmad al-Ḥīrī (post 430/1039), a Shāfiʿī scholar. Ismāʿīl acquired the aural edition of *Ṣaḥīḥ al-Bukhārī* from al-Kushmayhanī (389/999), who had learned it from Muḥammad ibn Yūsuf al-Farabrī (320/932), a student of al-Bukhārī (256/870).<sup>134</sup> Al-Khaṭīb’s recapitulative recitation of *Ṣaḥīḥ al-Bukhārī* before Ismāʿīl in just three consecutive sittings was regarded as the fastest ever in history.<sup>135</sup>
3. Muḥammad ibn ʿAlī ibn al-Ṭayyib, Abūʾl-Ḥusayn al-Baṣrī (436/1044), a Muʿtazilī judge and an expert on *uṣūl* and *kalām*. His works include *al-Muʿtamad fī Uṣūl al-Fiqh*.<sup>136</sup>
4. Muḥammad ibn ʿAlī, Abū ʿAbd Allāh al-Ṣūrī (441/1050), a *ḥadīth* luminary being the link between al-Khaṭīb and the Egyptian al-Ḥāfiẓ ʿAbd al-Ghaniyy ibn Saʿīd al-Azdī (409/1019) and al-Ḥāfiẓ Ibn Jumayʿ of Ṣaydā (402/1012).<sup>137</sup> Al-Ṣūrī migrated to Baghdād in 418 AH/1027 CE and al-Khaṭīb admitted that al-Ṣūrī was extremely scrupulous in his evaluation of narrators. His close

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<sup>131</sup> See below.

<sup>132</sup> *HMDB*, 4:1845-1846.

<sup>133</sup> Abū Dāwūd al-Sajistānī, *al-Sunan* (Beirut: Muʾassasah al-Rayyān, 1998), 33. See Chapter Two.

<sup>134</sup> Biography of al-Kushmayhanī: *TIM*, 8:653 and al-Farabrī: 7:375.

<sup>135</sup> al-Dhahabī commented: ‘By God, it was never reported a faster reading than this one.’ See: *Siyar*, 18:280.

<sup>136</sup> *TMS*, 4:168, al-Dhahabī, *Mizān*, 3:655, Wael Hallaq, “A Tenth-Eleventh Century Treatise on Juridical Dialectic,” *Muslim World* 77 (1987): 197-206.

<sup>137</sup> *TMS*, 4:172, *TIM*, 9:630-632.

disciple, Abū'l-Ḥusayn ibn al-Ṭuyūrī (500/1107) asserted, 'It was through al-Ṣūrī that al-Khaṭīb received the knowledge of criticism of *ḥadīth*.'<sup>138</sup> The present study suggests that this refers to the genre of *ta'yīn al-rāwī*, which al-Dāraquṭnī and al-Ṣūrī had learned from al-Azdī's pioneering works.<sup>139</sup>

## 1.8 Major Life Events

-- After returning from Isfahan, there was a period of twenty-two years where, apart from local efforts, no distant journey was recorded in *Tārīkh*. This period between 423 AH/1032 CE and 445 AH/1054 CE has been suggested as the time when al-Khaṭīb devoted more attention to composition and writing books.<sup>140</sup> During his pilgrimage in the year 445 AH/1054 CE, al-Khaṭīb has already spoken of reading *Tārīkh* to the public.<sup>141</sup> This period was also identified by some as the period of transition from Ḥanbalī to Shāfi'ī jurisprudence based on the idea that a leader of a funeral prayer adopting the same *madhhab* with the dead.<sup>142</sup>

-- In the year 447 AH/1055 CE, al-Khaṭīb's friend, 'Alī ibn al-Ḥasan, Ibn al-Muslimah (450/1058) who became a minister for the 'Abbāsid Caliph, al-Qā'im bi Amrī'l-Lāh, sought his opinion on a case involving the Jewish community where a fake

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<sup>138</sup> TIM, 9:629-630. Biography of Ibn al-Ṭuyūrī: 10:830.

<sup>139</sup> See Chapter Six.

<sup>140</sup> See *Tārīkh* for years: 423 AH, 3:613, 424 AH, 9:62, 425 AH, 6:26, 426 AH, 8:223, 427 AH, 2:625 (the demise of his close friend, Ibn al-Karajī), 428 AH, 2:215, 429 AH, 5:393, 430 AH, 6:61, 431 AH, 4:165, 432 AH, 16:153, 433 AH, 6:233, 434 AH, 5:442, 435 AH, 12:120, 436 AH, 3:51, 437 AH, 3:51 (at the mosque of al-Manṣūr), 438 AH, 5:445, 439 AH, 8:453, 440 AH, 4:382, 441 AH, 4:172 (demise of al-Ṣūrī), 442 AH, 4:383, 443 AH, 15:310, and 444 AH, 12:244.

<sup>141</sup> *al-Muntaẓam*, 16:134.

<sup>142</sup> al-Khaṭīb lost two of his intimate masters, al-Barqānī and Abū 'Alī ibn Shādhān between 425 AH/1034 CE and 426 AH/1035 CE. Despite being a Shāfi'ī, the funeral prayer for the former was led by a Ḥanbalī *muftī*, Abū 'Alī ibn Abū Mūsā al-Hāshimī (428/1037). After three years, al-Hāshimī died and the funeral prayer was led by al-Khaṭīb, which does not reflect any legal affiliation likewise. However, it does show the venerated status of al-Khaṭīb for being an *imām* at the central mosque. See: TMS, 6:26, 8:22 and 2:215, Ibn Abī Ya'lā, *Ṭabaqāt*, 3:335.

document was advanced in order to avoid the *jizyah*.<sup>143</sup> Al-Khaṭīb's success in addressing the case granted him an official task of examining narrations of all preachers, which occasioned the case of Ibn al-Qādisī of al-Barāthā.<sup>144</sup> His reputation reached the Caliph himself, granting him a meeting at the royal palace and an official recognition.<sup>145</sup>

-- As previously mentioned, due to the invasions of Baghdād by the Saljūqs and the execution of Ibn al-Muslimah, al-Khaṭīb left the city in the midst of Ṣafar of 451 AH/1058 CE and was reportedly present in Damascus in Jumādā al-ʿŪlā of the same year.<sup>146</sup> That instance bestowed on him a celebrated position at the Umayyad central mosque. He enjoyed great audience in his session, as reported by his student, al-Khaṭīb al-Tabrīzī (502/1109).<sup>147</sup> However, he subsequently faced an accusation of being a Nāṣibī and he was saved from prosecution although expelled from Damascus,<sup>148</sup> following an intercession by his ʿAlawī friend the judge, ʿAlī ibn

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<sup>143</sup> al-Sakhāwī reported that al-Khaṭīb managed to identify a flaw in the document and Ibn al-Muslimah issued an accord refuting the quest of those people, which was signed by notable authorities namely Abū'l-Ṭayyib al-Ṭabarī, Abū Naṣr ibn al-Ṣabbāgh (477/1085), Muḥammad ibn Muḥammad al-Bayḍāwī (498/1105), Muḥammad ibn ʿAlī al-Dāmaghānī (478/1086) and others. See: al-Sakhāwī, *al-Iʿlān*, 26.

<sup>144</sup> *HMDB*, 1:386, *TFZ*, 3:1141. Al-Khaṭīb recounted his disapproval of the activities of the Rāfiḍī Ibn al-Qādisī at the Mosque of al-Barāthā. He eventually left to the eastern side, accused al-Khaṭīb as a Nāṣibī and spread horrendous fabricated *ḥadīth*, reviling on the pious predecessors. *TMS*, 8:530.

<sup>145</sup> As depicted in the Caliph's response to al-Khaṭīb's request for an aural session with him. Due to the meeting, he was given permission to dictate at the Mosque of al-Manṣūr signed by the general director of the city information affairs. See: *TDQ*, 5:34, *HMDB*, 1:385.

<sup>146</sup> *TMS*, 6:396 and 4:179.

<sup>147</sup> Even though the caliph al-Qā'im managed to reclaim the situation by the end of 451 AH/1058 CE, al-Khaṭīb remained in Damascus despite the fact that the city was under the administration of ʿUbaydites, the ally of the Faṭimids. The *Shīʿī* government seems to tolerate the civilians who adopted *Sunnī* doctrines. Al-Khaṭīb enjoyed the friendship of students of *ḥadīth* in Damascus as could be seen from the transmissions of his works. See: *HMDB*, 1:392, next chapter and Chapter Seven.

<sup>148</sup> He was accused of spreading anti *Shīʿism* propaganda by dictating the virtues of the Companions, particularly al-ʿAbbās and his descendants. Ibn ʿAsākir related that a person named al-Ḥusayn ibn ʿAlī, who was also known as al-Damanshī (491/1098), lodged a report to the general of the national security. He left Damascus on Monday, 18<sup>th</sup> of Ṣafar 459 AH/1067 CE. See Ibn ʿAsākir's account in: *TIM*, 10:184.

Ibrāhīm ibn Abī al-Jinn (508/1115).<sup>149</sup> He then left for Tyre and enjoyed the patronage of a member of Banī Abī ‘Aqīl; Muḥammad Abū’l-Ḥasan, ‘Izz al-Dawlah.<sup>150</sup> After having the massive crowd surrounding him for three years, al-Khaṭīb finally returned to Baghdād in 462 AH/1070 CE and continued his classes with the Ash‘arīs and some Ḥanbalīs at Gate of Degrees Quarter.<sup>151</sup>

-- Beginning in Ramaḍān 463 AH/1071 CE, al-Khaṭīb’s health worsened for three months. He bequeathed all his books to his student, Abū’l-Faḍl Ibn al-Khayrūn and made them a *waqf* (endowment). He distributed his wealth to fellows of *ḥadīth*, fellows of *fiqh* and the Ṣūfis. On Monday morning, 7th of Dhū al-Ḥijjah, 463 AH/1071 CE, al-Khaṭīb departed this life.<sup>152</sup> The account on his funeral indicates his highly-celebrated position among the Ṣūfis of Baghdād. There were also dreams reported on his state in the afterlife.<sup>153</sup>

## Conclusion

Al-Khaṭīb’s biography and connections are certainly beyond the description of these pages. However, this chapter has adequately shown that al-Khaṭīb has been

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<sup>149</sup> See Chapter Two.

<sup>150</sup> ‘Abd al-Salām Tadmurī, *Tārīkh Ṭarablus al-Siyāsī wa’l-Ḥaḍārī ‘abra al-‘Uṣūr* (Lubnan: Maṭābi‘ Dār al-Bilād, 1978), 350, and “Usrat Banī Abī ‘Aqīl fī Madīnat al-Ṣūr,” *Majallah Tārīkh al-‘Arab wa al-‘Ālam* 16 (1980): 9-18. See also: Ibn al-Dumyāṭī, *al-Mustafād*, 18:45.

<sup>151</sup> It is a sacrosanct place of asylum (*ḥarīm*) where Ibn ‘Aqīl lived in exile. George Makdisi, *Ibn ‘Aqīl: Religion and Culture in Classical Islam* (Edinburgh: Edinburgh Univ. Press, 1997), 3. Ibn ‘Aqīl spoke of some Ḥanbalīs who forbade people from learning from scholars deemed as heretics. See Chapter Seven.

<sup>152</sup> Ibn al-Akfānī, *Dhayl*, 33, al-Dhahabī, *Duwal al-Islām*, 1:398.

<sup>153</sup> The funeral prayer was led by the jurist Abū Ishāq al-Shīrāzī and he was buried nearby the grave of the prominent Ṣūfī, Bishr al-Ḥāfī as he requested afore, albeit after a conflict on the grave spot. The spot was reserved earlier by Abū Bakr Aḥmad Ibn Zahrā’ al-Ṭuraythīthī al-Ṣūfī. However, Ibn al-Zahrā’'s friend Abū Sa’d Aḥmad ibn Muḥammad ibn Dust al-Ṣūfī resolved the conflict after comparing his position to al-Khaṭīb with regards to Bishr al-Ḥāfī. Ibn Ḥanbal was also buried in the same graveyard, which for some Ḥanbalīs might indicate al-Khaṭīb’s real wish to be buried beside him. Abū Sa’d was the founder of *Ribāṭ Shaykh al-Shuyūkh* and the chief of Banu Dust al-Naysābūrī. On this Ṣūfī family who brought Sufism from Nishapur to Baghdād, see: Ephrat, *Learned Society*, 169. Biography of Ibn al-Zahrā’ in: *TIM*, 10:784.

associating himself with three major networks: (1) the network of *Mukhtaṣar al-Muzanī*, which comprises of eminent Shāfiʿī jurists who produced *taʿlīqāt* and *takhrījāt* on the basis of al-Shāfiʿī's legal hermeneutics, (2) the network of traditional *ḥamalāt al-ʿilm*, whose members were of diverse affiliations and their main concern was transmitting traditional knowledge while cherishing the ethos of living and superior *isnād*, and (3) the network of the *Ṣaḥīḥayn*, which advanced the new *ḥadīth* authentication paradigm. His life also reveals intimate connections with the *fuqarāʾ*, *zuhhād* and *Ṣūfīs*, and the use of *Ṣūfī* lodges for meetings and classes by the jurists and fellows of *ḥadīth*. There was no indication that he became embroiled with philosophy although he was exposed to an intellectual discourse suffused with traditional *kalām*. Although he was initially trained as a jurist, his passion for genuineness and authenticity led him to immerse in *ḥadīth* study and transmission, an enterprise which might portray a person as a follower of Ibn Ḥanbal, the supreme persona in Baghdādian *ḥadīth* culture. Although the scholars may have perceived al-Khaṭīb as a student of al-Shāfiʿī, he considered the whole *ḥadīth* scholarship as the legacy of al-Shāfiʿī and engaged himself with the Shāfiʿīte doctrinal community locally and abroad. His intellectual endeavours indicate that he was preparing himself to be an independent scholar with original insights into the crux of *ḥadīth* scholarship; the history of transmitters and transmission beyond the sectarian borders. His main scholarship can be adequately appreciated only through the examination of his textual legacies, which is the goal of the next chapter.

## Chapter Two:

# Works and Library



## Overture

This chapter explores the intellectual legacy of al-Khaṭīb with reference to his literary oeuvre, which has not been extensively explored in modern scholarship.<sup>1</sup> Modern treatment of catalogues in many libraries and the publication of discovered manuscripts have enabled this study to add a few titles, provide important revisions and delineate significant aspects germane to the epistemological shaping of his intellectual project. Al-Khaṭīb was a prolific author who possessed the undeniably strong passion in organising facts, scrutinising minute details, sourcing accounts and quotes, engaging with debates and concerns, and committing his knowledge to writings. His scrupulous character is illustrated in an account where he was reluctant to offer rash responses when asked for his views.<sup>2</sup> Al-Khaṭīb produced 16,000 pages of manuscripts, which settled in approximately 400 folios, excluding the *takhrījāt*.<sup>3</sup> As for the number of titles, Ibn al-Najjār, the author of *Dhayl Tārīkh Baghdād*, who claimed to find a *fihrist* of al-Khaṭīb's works, counted sixty-odd titles and copied the names of the extant among them for some of al-Khaṭīb's works caught fire after his death.<sup>4</sup> Recently, al-Mālikī's list of al-

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<sup>1</sup> See: Carl Brockelmann, *Geschichte der Arabischen Litteratur* (Leiden: Brill, 1943), 1:400-401, (Leiden: Brill, 1937, Supplementband), 1:562-563, *ISH*, 120. al-Ṭaḥḥān, *al-Ḥāfiẓ al-Khaṭīb*, 117, and al-ʿUmarī, *Mawārid*.

The main primary sources for al-Khaṭīb's works are *Dhayl Tārīkh Baghdād* of Abū Sa'd Ibn al-Sam'ānī, *Dhayl Tārīkh Baghdād* of Ibn al-Najjār, and the *Fihrist* of al-Mālikī. The first two are not extant. Abū Sa'd's record, however, was copied by Ibn al-Jawzī (without attribution), and al-Dhahabī in three of his works. Ibn al-Najjār's record was partly preserved by al-Dhahabī in *Tadhkirat al-Huffāẓ* (without attribution) and in *Siyar* (with attribution). Ibn al-Jawzī was furthermore copied by Yāqūt al-Ḥamawī, and al-Dhahabī was later copied by al-Ṣafadī. Since the edition of some of these works requires further revisions, some slight differences will appear during comparison. See: *al-Muntaẓam*, 16:130, *HMDB*, 1:386, *TIM*, 10:180, *Siyar*, 18:289, *TFZ*, 3:1140, al-Ṣafadī, *al-Wafayāt*, 7:131.

<sup>2</sup> *TIM*, 10:184.

<sup>3</sup> *Takhrīj* is supplying a naked *dictum* (*al-mujarrad*) with an *isnād* or tracing an *isnād*-supported *dictum* (*al-musnad*) with its record in canonical collections for the purpose of legitimisation. Based on the semantic of the word, I will translate it as "retracement."

<sup>4</sup> *Ibid*, 10:182.

Khaṭīb's books was published revealing that by the time of migration to Damascus, there were already sixty-four titles authored by him.<sup>5</sup>

## 2.1 Writing and Composition Styles

As tangential as they could be to the author's main idea, superscriptions were often provided in most of al-Khaṭīb's works. Their essential vocabularies reflect the relation between the human endeavour of seeking knowledge and God's providence, namely *ifḍāl* (advancement), *tawfīq* (agreement), *ʿawn* (assistance), *inʿām* (bestowal), *irshād* (guidance), *hadā* (direct), *ʿallama* (teach), *manna* (give), *alhama* (inspire) and *ḥiyāṭa* (encompassing care).<sup>6</sup> Generally, they are written in a rhythmical style, which illustrates the unique character of al-Khaṭīb in intellectual treatises.<sup>7</sup> Compared to the *ḥadīth* theorist al-Ḥākim al-Naysābūrī, al-Khaṭīb's writings are more replete with rhythmical phrases and exquisite words, whether in titles, superscriptions, subtitles or some passages of the content.<sup>8</sup>

Al-Khaṭīb presented himself as a loyal transmitter of words where one will frequently encounter phrases such as “according to the wording of so-and-so (*wa al-lafẓ li fulān*)” when various accounts of an event are related.<sup>9</sup> In many cases, especially concerning the biographical accounts, he dissociated himself from being responsible for inciteful content by pronouncing, “according to what we have been told (*ʿalā mā ruwiya lanā*).”<sup>10</sup> Hence, the frequent use of passive form such as “*ruwiya*” and the likes in his works should be treated with extreme care in extrapolating and attributing any view and stance to al-Khaṭīb.

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<sup>5</sup> My re-edition of the manuscript counts 65 titles. The numbering below will follow my own edition.

<sup>6</sup> See Chapter Three.

<sup>7</sup> This is important in reading or figuring the way to read al-Khaṭīb's texts.

<sup>8</sup> Some biographical entries reflect his comparative evaluation of poets and belletrists. See for instance: TMS, 4:227 (al-Marzubānī is better than al-Jāḥiẓ).

<sup>9</sup> He precisely distinguished between *haddathanā* (we have been informed by him in a face-to-face session) and *akhbaranā* (we have been informed by him, usually through *ijāzah*). See his criticism of Abū Nuʿaym concerning the narration of *Juzʿ Ibn ʿĀṣim* and Ibn Ḥajar's justification in: Ibn Ḥajar, *Lisān al-Mīzān* (Beirut: Dār al-Bashāʾir al-Islāmiyyah, 2002), 1:507.

<sup>10</sup> TMS, 14:63.

At the heart of his authorship is his ability to organise traditions in various ways; viz. topic-based and narrator-based.<sup>11</sup> Moreover, these traditions were supported by his own *isnāds* despite being already recorded in “canonical *ḥadīth* collections” available in his possession. In *Tārīkh Baghdād* alone, Khaldūn al-Aḥḍab successfully proved the huge amount of his additional chains and their unique significance (*zawā'id*).<sup>12</sup> Whenever it is possible, al-Khaṭīb will provide numerous strands of transmission even for one single tradition and subsequently offer his evaluation. The modern science of *takhrīj* has enabled us to trace al-Khaṭīb’s sources from these chains of narration. His acquisition of immense sources was later manifested in various genres of his works through compilation, *intikhāb al-fawā'id*<sup>13</sup> and *takhrīj*. This study arranges those works according to the following sections and themes:

## 2.2 Fundamentals of *Sunnī* Epistemology

### (01-01) *Bayān Ahl al-Darajāt al-‘Ulā*.<sup>14</sup>

This work apparently explains the prophetic tradition concerning the members of the loftiest ranks in the hereafter, among other the Caliphs Abū Bakr and ‘Umar. It explains the aim of epistemological endeavour in *Sunnī* tradition, which is exemplified in the *darajāt* paradigm.<sup>15</sup>

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<sup>11</sup> See Chapter Four.

<sup>12</sup> See: Khaldūn al-Aḥḍab, *Zawā'id Tārīkh Baghdād ‘alā al-Kutub al-Sittah* (Damascus: Dār al-Qalam). *Zawā'id* concerns significant addition made by a *muḥaddith* either in *isnād* or *matn* on a specific *ḥadīth* collection, often the two *ṣaḥīḥs*.

<sup>13</sup> The genre of *fawā'id* concerns treatises that extract (*intikhāb*) traditions of a *muḥaddith*, which seem to contribute additional information. The editor of *al-Mihrawāniyyāt* remarked that he had come across 181 compositions in this genre, whilst there are another 277 titles, which he had not yet discovered. This amounts to a total of 458 works. One will frequently find in these works phrases such as “This is a rare narration. We have never seen such a narration except through the report of so-and-so from so-and-so.” See below for *al-Mihrawāniyyāt*.

<sup>14</sup> *Tasmiyah*, (47). al-Khaṭīb recorded the tradition of *al-darajāt al-‘ulā* in several places in his works. See: *TMS*, 4:318, 5:103, 12:331, 13:616, and *Muwaḍḍiḥ*, 2:332. In another place, he reported a tradition that relates it to knowledge. It reads: ‘Knowledge is gained through learning ... three acts that will dislodge a person from *al-darajāt al-‘ulā* ...’ *TMS*, 6:442.

<sup>15</sup> See Chapter Four. The tradition was reported on the authority of Abū Sa‘īd al-Khudrī, that the Prophet said: ‘Indeed, the people of Paradise will see those in chambers of higher degrees of Paradise, as you see

**(02-02) *Sharaf Aṣḥāb al-Ḥadīth*.<sup>16</sup>**

The treatise was composed as a refutation to transgressive theologians, yet implicitly carries an invitation for fellow traditionists to embrace a higher level of ḥadīth criticism and to pay adequate attention towards the study of aspects of meaning. The concept of “ḥadīth” was expanded broadly to represent faithful traditional learning methodology and to triumph over the method of *ahl al-‘adl wa al-tawḥid* who were previously venerated by the Baṣran Mu‘tazilī Abū ‘Uthmān al-Jāḥiẓ (255/869) as *ashrāf ahl al-ḥikmah* (noble fellows of wisdom). The treatise was meant as a preliminary reading before the following work.

**(03-03) *al-Jāmi‘, li Akhlāq al-Rāwī wa Ādāb al-Sāmi‘*.<sup>17</sup>**

This book is a sequel to the previous title and provides pedagogical and methodological advice for the attendees of circles of traditional learning. Although former ḥadīth scholars had already written chapters on the etiquette of learning ḥadīth; al-Khaṭīb’s work stands as the first in its detailed coverage of the subject. A thorough survey of the book reveals that it was arranged according to several major themes.<sup>18</sup>

**(04-04) *al-Dalā’il wa al-Shawāhid, ‘alā Ṣiḥḥat al-‘Amal bi Khabar al-Wāḥid*.<sup>19</sup>**

This is a compilation of indicative-texts from traditional sources on the validity of acts based on individual reports as adopted by traditional scholars.<sup>20</sup>

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*the eastern star or the western star that sets in the far horizon, due to their higher degrees.’* The Companions said, ‘Are those the prophets, O Messenger of Allah?’ He said: ‘No, by Him in Whose Hand is my soul, (they are) people who have faith in Allah and comply with His Messengers.’

<sup>16</sup> (Ankara: Dār Iḥyā’ al-Sunnah). If a published book is based on several manuscripts, the will refrain from any further elaboration.

<sup>17</sup> (Riyadh: Maktabah al-Ma‘ārif, 1983).

<sup>18</sup> (1) Setting the right intention for learning and teaching ḥadīth, (2) the decorum of a novice auditor (*sāmi‘*), (3) maintaining the relation between an auditor and an executive narrator (*muḥaddith*), (4) the technique of transcribing narrations, (5) the decorum of an executive narrator or scholar, (6) the etiquette of ḥadīth session and the post-session revision (7) the elucidation of the ultimate status of *al-ḥifẓ* (ḥadīth expertise) (8) a *ḥafīẓ* extensive transcription of narrations, (9) the elaboration on journey for seeking knowledge, (10) the guide for learning and memorisation, (11) the exposition on ḥadīth documentation and authorship, and (12) ending the professional career in ḥadīth mastership.

<sup>19</sup> Self-attribution: *al-Kifāyah*, 1:125, *Tasmiyah*, (17), *al-Sam‘ānī* (apud HMDB, 1:386), *ISH*, 127.

**(05-05) *Ṭalab al-‘Ilm Farīdat ‘alā Kulli Muslim.***<sup>21</sup>

This is a study of the prophetic tradition concerning the obligation of seeking knowledge upon every Muslim.<sup>22</sup>

**(06-06) *Ṭuruq Ḥadīth Qabḍ al-‘Ilm.***<sup>23</sup>

This is a study of the prophetic tradition concerning the status of traditional scholars as the true heirs of knowledge and the obligation of consulting the right scholars.<sup>24</sup>

**(07-07) *Kitāb fīhi Ḥadīth Naḍḍara Allāh Imra’a” Sami’a Minnā Ḥadīthā.***<sup>25</sup>

This is a treatise on the *naḍrah* (radiant self) tradition.<sup>26</sup>

**(08-08) *Ḥadīth ‘Abd al-Raḥmān ibn Samurah wa-Ṭuruquhu.***<sup>27</sup>

This is a study of the prophetic tradition concerning the desire to seek leadership. In *Kitāb al-Faqīh*, al-Khaṭīb applies this tradition as a reminder for scholars against seeking a position to issue *fatwā* (legal responsa).<sup>28</sup>

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<sup>20</sup> See: G.H.A Juynboll, “Khabar al-Wāḥid” in *The Encyclopaedia of Islam, New Edition*, eds. P. Bearman et al (Leiden: Brill, 2006), 4:896.

<sup>21</sup> *Tasmiyah*, (49), ‘ISH, 121.

<sup>22</sup> The tradition reads ‘*Seeking knowledge is an obligation upon every Muslim.*’ Later *ḥadīth* scholar, al-Nawawī opined that the transmission of this tradition is unreliable, yet the meaning is true. Al-Suyūṭī traced fifty strands of transmission for this tradition in an effort to refute al-Nawawī. Whether the seeking of knowledge is generally an obligation upon every individual or is it sufficient to seek it when required by an action. Al-Khaṭīb addressed this question in *Iqtidā’ al-‘Ilm al-‘Amal*. See: al-Suyūṭī, *Juz’ fīhi Ṭuruq Ḥadīth Ṭalab al-‘Ilm Farīdah ‘alā Kulli Muslim* (Amman: Dār ‘Ammār, 1998).

<sup>23</sup> *Tasmiyah*, (45) -three fasciculi, Ibn al-Najjār (apud TFZ, 3:1140), ‘ISH, 121.

<sup>24</sup> The tradition reads: ‘*Indeed, God does not take away knowledge by snatching it from the people, but He takes away knowledge by taking away the scholars, until there remains no scholar and the people take the ignorant as their guides.*’

<sup>25</sup> *Tasmiyah*, (50).

<sup>26</sup> See Chapter Four.

<sup>27</sup> *Tasmiyah*, (52), consisting of two fasciculi, ‘ISH, 121.

<sup>28</sup> The tradition reads: ‘*O ‘Abd al-Raḥmān, do not ask for leadership, for if you are given it after asking you will be left to discharge it yourself, but if you are given it without asking you will be helped to discharge it.*’ FWM, 2:351.

### 2.2.1 Valid Channels of Knowledge

#### (09-09-i) *Taqyīd al-‘ilm*.<sup>29</sup>

In the work's introduction, al-Khaṭīb was essentially attending to the subject of written materials as one of the two legitimate repositories for knowledge. Paul Heck studied this work in relation to the epistemological problem of writing in Islamic civilisation.<sup>30</sup> The work is a counterpart to the following work, even though the latter addresses the acquisition of *ḥadīth* specifically, instead of *‘ilm*.

#### (10-10-ii) *al-Riḥlah fī Ṭalab al-Ḥadīth*.<sup>31</sup>

The work illustrates how the ‘hearts of men’ were admired as the primary repository of knowledge. Although the title suggests a treatment of journeys to collect or recollect *ḥadīth* from men, the theoretical and methodological exposition of *riḥlah* was furnished in the previous *Jāmi‘*. This work, however, serves as a useful source in understanding the common culture of *riḥlah* in Islamic civilisation as reflected in stories and accounts presented by al-Khaṭīb.

#### (11-11-iii) *Ijāzat al-Majhūl wa al-Ma‘dūm wa Ta‘līquhumā bi Sharṭ*.<sup>32</sup>

This short epistle treats the legitimacy of an *ijāzah* (permission for relation)<sup>33</sup>

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<sup>29</sup> (Dār Iḥyā’ al-Sunnah).

<sup>30</sup> Heck, *Epistemological Problem ...* (cited earlier).

<sup>31</sup> (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1975).

<sup>32</sup> (Cairo: Maktabah Ibn Taymiyyah, 1413/1992). In *Tasmiyah*, (63): *wa’l-Mu‘allaqah bi Sharṭ*. The extant manuscripts: Damascus: Zahirīyyah Library, Col. 66 (155 – 159), Istanbul: Library of Sultan Ahmet III, Ref. No. 624/27 (251 alif – 252 bā’). See: Ramazan Şeşen, *Mukhtārāt min al-Makhṭūṭāt al-‘Arabiyyah al-Nādirah fī Turkiyā*, 407. Transmission of this work in two strands; the *mashriq* line: al-Ḥusayn ibn Hibat Allah al-Dimashqī (626/1229); from al-Faḍl ibn Sahl al-Dimashqī -also known as al-Athīr al-Ḥalabī- (548/1153) who transmitted it and copied it from al-Khaṭīb. The *maghrib* line: Ibn Khayr al-Ishbīlī; from Ibn Waḍḍāḥ al-Qaysī (539/1145); from Yahyā ibn Ibrāhīm Abū Zakariyyā/Abū Bakr al-Iskandarānī al-Mālikī (514/1120) at Alexandria in 511/1118; from al-Khaṭīb at the *mahras* (?) of Ibn Rajā’ at Tyre. Al-Ishbīlī also reported that according to Ibn Bashkuwāl, this epistle was read in the circle of Ibn al-‘Arabī al-Mālikī and had been practised by his teacher ‘Abd al-‘Azīz ibn Aḥmad al-Kattānī (468/1076). See: al-Anṣārī al-Marrākishī, *al-Dhayl wa’l-Takmilah* (Tunis: Dār al-Gharb al-Islāmi, 2012), 4:74, al-Ishbīlī, *Fihrist*, 194 and 401.

<sup>33</sup> *Ijāzah* and *majāz* (in rhetoric) share the same root meaning, which reflects the transgressive mode of a certain matter, in contrast to the normative mode. The permission of relation entails both

when it was conferred by a head-narrator to an unidentified individual or group (*majhūl*), or given to the yet-to-be-born (*ma'dūm*), or conferred to them with a certain condition.<sup>34</sup> The effective continuity in the transmission of knowledge is at stake.

**(12-12-iv) *Irwā' al-Zamiyy, fī Tabkīr Simā' al-Ḥadīth li'l-Ṣabiyy.***<sup>35</sup>

According to the editor, it is a republication of a section from one of al-Khaṭīb's works, possibly *al-Jāmi'*. It concerns the merit and validity of the transmission of an adult when a narration was received during the early childhood.

**(13-13) *Kitāb al-Faqīh wa al-Mutafaqqih.***

The work stands as the epitome of al-Khaṭīb's scholarship whose excellence, according to al-'Umarī, could only be challenged by *Tārīkh Baghdād* and *al-Kifāyah*. The uniqueness of this work on *uṣūl*, despite many treatises being composed in the field of legal principles, lies in the fact that it was authored through the lenses of a proficient scholar in the sciences of *ḥadīth*. Although Scott Lucas studied some aspects of the book, it was not intended to explore the broader dimensions of al-Khaṭīb's scholarship.<sup>36</sup> This study discovered that the work was divided into several major themes.<sup>37</sup>

**(14-14) *Naṣīḥat Ahl al-Ḥadīth.***<sup>38</sup>

This epistle is a republication of the section on the virtue of knowledge and scholarship of *Kitāb al-Faqīh* beginning from “*wa-rasamtu fī hādha al-kitāb*” until

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connotations; (1) a permission to establish a relation in the chain with the executive narrator despite the gap between them, and (2) a permission to relate the tradition to a future audience.

<sup>34</sup> Teachers being quoted in this epistle reflected al-Khaṭīb's reference to the four legal schools.

<sup>35</sup> Edited by Bashīr Ḍayf al-Jazā'irī (Dār Ibn Ḥazm, 2009).

<sup>36</sup> Scott Lucas, “The Legal Principles of Muḥammad B. Ismā'īl al-Bukhārī and Their Relationship to Classical Salafi Islam,” *Islamic Law and Society* 13:3 (2006): 289-324.

<sup>37</sup> Arrangement: (1) Twenty sections on *al-faḍl wa al-fadīlat* of *fiqh* and *fuqahā'* (2) A brief explanation on *fiqh* and *uṣūl al-fiqh* (3) Three extensive chapters on Qur'ān, *Sunnah* and *Ijmā'* (4) Explanations on several disputed legal principles (5) Several sections on *naẓar*, *jadal* and *ijtihād* (6) A chapter on the virtue of knowledge and scholars (7) The decorum for the *faqīh* and the learner of *fiqh*, and (8) the etiquette of the *muftī* and the *mustaftī*.

<sup>38</sup> (Jordan: Maktabah al-Manār, 1988).

“*inqaṭa‘a shammuhu abada*””. It strengthens the previous premise that *Kitāb al-Faqīh* was authored to construct an epistemological framework, rather than being a conclusive reference for legal studies. The term *ahl al-ḥadīth* here mainly refers to the students of *riwāyāt* and *akhbār* and the main concern of this epistle is to encourage them to study the basic sciences of meaning.

**(15-15) *Mas’alat al-Iḥtijāj bi al-Shāfi‘ī fīmā Usnida Ilayhi wa al-Radd ‘alā ‘l-Ṭā‘inīn bi ‘Iẓami Jahlihim ‘alayhi.***<sup>39</sup>

The title translates “*The Legitimacy of al-Shāfi‘ī’s Transmissions and Answering the Critics through Exposing Their Colossal Ignorance of His Status.*” This epistle reflects al-Khaṭīb’s struggle against critics from both sides: the rationalists and the traditionalists, who expressed their scepticism towards Shāfi‘ism. Parts from his other work, *Manāqib al-Shāfi‘ī* was included in this epistle.

**(16-16) *Iqtiḍā’ al-‘Ilm al-‘Amal.***<sup>40</sup>

The work posits action and performance as the corresponding part of intellectual endeavours through the enlistment of 201 statements found in *ḥadīth* and words of wisdom by scholars. It reflects the place of orthopraxy in *Sunnī* epistemology in addition to intellectual struggles. ‘*Amal* was illustrated as the route to the ultimate spiritual happiness in Islam.

## 2.3 Facilitation of Intellectual Endeavour

Al-Khaṭīb, being a *littérateur*, is an enthusiast of *adab* and poetry.<sup>41</sup> Al-Khaṭīb was concerned with the psychology of students and the daunting nature of intellectual enterprise, particularly *ḥadīth* criticism. He entertained his audience with humorous anecdotes, occasionally found as well in the midst of works, which

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<sup>39</sup> (Saudi Arabia: Idārah al-Buḥūth al-‘Ilmiyyah, 1980).

<sup>40</sup> (Beirut: al-Maktab al-Islāmī, 1984). The extant manuscripts: Damascus: Zahirīyyah Library, (257 *Adab*), Damascus: Zahirīyyah Library, (577 *Tafsīr*). The work was recited and copied before al-Khaṭīb by two of his students: Ibn al-Akfānī and Ibn Abū Ya‘lā. It was later circulated among the scholars of Damascus.

<sup>41</sup> See for the relation of the works with a particular notion of *adab* in: C. A. Nallino, *La littérature arabe des origines à l’époque de la dynastie umayyade*, trans. Charles Pellat (Paris: Maisonnneuve, 1950), 7-28.



are not dedicated for this purpose.<sup>42</sup> The mixture of information, entertainment, indirect linguistic instruction and a concern with proper conduct in social affairs placed his works as an excellent handicraft of *adab* literature. They include:

(17-01) *Juz' fihi Khuṭbat 'Ā'ishah fī Dhikr Abīhā wa 'Umar ibn al-Khaṭṭāb, takhrīj al-Imām Abū Bakr al-Khaṭīb.*<sup>43</sup>

The primary work was authored by the linguist Abū Bakr ibn al-Anbārī (328/940). He recorded exquisite speeches attributed to 'Ā'ishah in describing and defending her father, the caliph Abū Bakr and the second caliph, 'Umar. Ibn al-Anbārī provided a commentary on this speech and explained nearly fifty peculiar words and expressions used by 'Ā'ishah. Al-Khaṭīb supplied the speech with *isnāds* from him to 'Ā'ishah.<sup>44</sup> It is possible that some supplementary commentary by al-Khaṭīb had also been attached to the work.

(18-02) *al-Bukhalā'.*<sup>45</sup>

The book treats the subject of parsimoniousness and presents entertaining accounts of incidents where misers were involved. Malti-Douglas provided a literary analysis on this work and concluded striking differences between the work of al-Khaṭīb and the one prior to him authored by al-Jāḥiẓ.<sup>46</sup> Linear progression, organisation, precedence of religious materials, and ethico-moral significance are among other characteristics she attributed to al-Khaṭīb's craft.<sup>47</sup>

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<sup>42</sup> See the story of a father who envied his son in: *al-Jāmi'*, 2:139.

<sup>43</sup> al-Ishbīlī, *Fihrist*, 228 (282). Ibn al-Anbārī, *Sharḥ Khuṭbat 'Ā'ishah Umm al-Mu'minīn fī Abīhā* (Damascus: al-Majma' al-'ilmī, 1962). This work was present in the library of al-Khaṭīb. His students, Abū'l-Faḍl Ibn Khayrūn and Ibn 'Abd al-Bāqī, transmitted al-Khaṭīb's work.

<sup>44</sup> al-Ishbīlī, *Fihrist*, 212(253).

<sup>45</sup> (Beirut: Dār Ibn Ḥazm, 2000).

<sup>46</sup> Fedwa Malti-Douglas, "Humor and Structure in Two "*Buḥalā'*" Anecdotes: al-Ġāḥiẓ and al-Khaṭīb al-Baġdādī," *Arabica* 27:3 (1980): 300-323.

<sup>47</sup> Fedwa Malti-Douglas, *Structures of Avarice: The Bukhalā' in Medieval Arabic Literature* (Leiden: Brill, 1985), 42-66.

(19-03) *al-Taṭfīl wa Ḥikāyāt al-Ṭufayliyyīn wa Akhbāruhum wa Nawādir Kalāmihim wa Ash‘ārihim*.<sup>48</sup>

This work deals with pithy accounts about freeloaders.<sup>49</sup> As Malti-Douglas observed, it is a common practice of those who review the previous subject to adopt their works with this subject. Regarding al-Khaṭīb’s intellectual character, this serves as another mark of his practice of moderation between two opposing sides.<sup>50</sup>

(20-04) *al-Tanbīh wa al-Tawqīf, ‘alā Faḍā’il al-Kharīf*.<sup>51</sup>

It is possibly a literary treatise concerning the virtues and wonders of autumn. The praise of Baghdād’s variety of fruits, which harboured the market especially during the autumn was boasted in a statement reported by al-Khaṭīb in *Tārīkh*.<sup>52</sup>

## 2.4 The Study of *Ta’yīn al-Rāwī*.<sup>53</sup>

There are twelve titles related to this area of study (thematically arranged):

(21-01) *al-Asmā’ al-Mubhamah, fī al-Anbā’ al-Muḥkamah*.<sup>54</sup>

(22-02) *al-Mukmal, fī Bayān al-Muḥmal*.<sup>55</sup>

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<sup>48</sup> (Beirut: Dār Ibn Ḥazm).

<sup>49</sup> Fedwa Malti-Douglas, “Structure and Organization in a Monographic Adab Work: al-Taṭfīl of al-Khaṭīb al-Baghdādī,” *Journal of Near Eastern Studies*, 40:3 (1981): 227-245. See selections from this work in: Emily Selove, *Selections from the Art of Party-Crashing in Medieval Iraq* (Syracuse University Press, 2013).

<sup>50</sup> See: Malti-Douglas, *Humor and Structure*.

<sup>51</sup> al-Sam‘ānī, *Dhayl* (apud HMDB, 1:387).

<sup>52</sup> TMS, 1:354.

<sup>53</sup> See Chapter Six.

<sup>54</sup> (Cairo: Maktabah al-Khānījī, 1997).

<sup>55</sup> *Tasmiyah*, (9) and al-Sam‘ānī (apud TIM, 10:181) both mentioned eight fasciculi. In TFZ, 3:1139, al-Sam‘ānī stated one volume. Ibn Khayr al-Ishbīlī (575/1180) said: ‘The work has no match in its

- (23-03) *al-Asmā' al-Mutawāṭi'ah, wa al-Ansāb al-Mutakāfi'ah*.<sup>56</sup>
- (24-04) *Man Wāfaḡat Kunyatuhu Isma Abīhi min-mā lā Yu'man Wuqū' al-Khaṭa' fīhi*.<sup>57</sup>
- (25-05) *Ghunyat al-Multamis*,<sup>58</sup> *'Īdāh al-Multabis*.<sup>59</sup>
- (26-06) *al-Mu'tanif, Takmilat al-Mu'talif wa al-Mukhtalif*.<sup>60</sup>
- (27-07) *al-Muttafiq wa al-Muftariq*.<sup>61</sup>
- (28-08) *Talkhīṣ al-Mutashābih fī al-Rasm, wa Ḥimāyat mā Ashkala minhu 'an Bawādir al-Taṣhīf wa al-Wahm*.<sup>62</sup>
- (29-09) *Tālī Talkhīṣ al-Mutashābih*.<sup>63</sup>
- (30-10) *Rāfi' al-Irtiyāb, fī al-Maqlūb min al-Asmā' wa al-Ansāb*.<sup>64</sup>
- (31-11) *al-Kitāb al-Muwaḡḡih li*<sup>65</sup> *Awhām al-Jam' wa al-Tafrīq*.<sup>66</sup>
- (\*1-12)<sup>67</sup> *Fawā'id al-Nasab*.<sup>68</sup>

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excellence.' See: al-Ishbīlī, *Fihrist*, 231 (292), 'ISH, 124. al-Suyūṭī named it *al-Dhayl al-Mukmil fī al-Muhmal*. See: *Ṭabaqāt al-Ḥuffāz*, 434.

<sup>56</sup> *Tasmiyah*, (19). Also: 'ISH, 129.

<sup>57</sup> The original does not extant. It was attributed by al-Sam'ānī -mentioning three fasciculi (*apud TIM*, 10:181). Selection for this work was made by the Turkish scholar Mughaltāy ibn Qalīj (762/1361) and published under the title *Intikhāb Kitāb Man Wāfaḡat Kunyatuhu Isma Abīhi min-mā lā Yu'man Wuqū' al-Khaṭa' fīhi* (Kuwait: Jam'iyyat Iḥyā' al-Turāth, 1988).

<sup>58</sup> al-Sam'ānī named it *Ghunyat al-Muqtabis* as in: *al-Muntaẓam*, 16:130, *HMDB*, 1:386, and *TFZ*, 3:1140. The last part was spelled *fī Taṣfīr al-Multabis* as in: Ismā'īl Bāshā, *Hadiyyat al-'Ārifīn* (Beirut: Iḥyā' al-Turāth, 1951), 1:79. Al-Khaṭīb named it *al-Multamis* as in: Mughaltāy, *Intikhāb*, 111.

<sup>59</sup> (Riyadh: Maktabah al-Rushd, 2001). It seems to be a summarised version.

<sup>60</sup> (PhD Diss., Islamic University of Madinah, 1433/2012), an unpublished dissertation.

<sup>61</sup> (Damascus: Dār al-Qādiri, 1997).

<sup>62</sup> (Damascus: Ṭilās, 1985).

<sup>63</sup> (Riyadh: Dār al-Ṣumay'ī, 1997).

<sup>64</sup> Self-attribution: *al-Asmā' al-Mubhamah*, 1:9, *Muwaḡḡih*, 1:٧٤, *Talkhīṣ al-Mutashābih*, 1:487. Also: *Tasmiyah*, (11), al-Sam'ānī (*apud TFZ*, 3:1140 -one volume, al-Ṣafadī, *al-Wafayāt*, 7:131, -12 fasciculi).

<sup>65</sup> See: *al-Muttafiq wa al-Muftariq*, 2:809, *al-Kifāyah*, 2:161, Mughaltāy, *Intikhāb*, 115.

<sup>66</sup> (Hyderabad: Dā'irat al-Ma'ārif, 1959).

<sup>67</sup> \* indicates a pseudo or uncertain attribution to al-Khaṭīb. All works preceded by this mark will not be considered as part of his works.

These titles represent al-Khaṭīb's huge project in mapping the *isnād*-identification system. For this reason, the elaboration of their contents and receptions will be presented in a separate chapter.

## 2.5 History and Biography of Narrators and Scholars

### (32-01) *Tārīkh Madīnat al-Salām*.

This is the renowned magnum opus of al-Khaṭīb concerning the history of *ḥadīth* in Baghdād.<sup>69</sup> Al-Khaṭīb recorded the biographies of approximately five thousand narrators of *ḥadīth* from a total of 7831 biographies, which is alphabetically detailed in seventeen volumes of modern publication. The work begins with topographical descriptions of Baghdād and surrounding cities, before the biographical entries. A detailed analysis of this work is beyond the scope of the present study.

### (33-02) *Manāqib Aḥmad ibn Ḥanbal*.<sup>70</sup>

This is a treatise on the virtues of Ibn Ḥanbal. Most of the content was preserved in *Manāqib Aḥmad Ibn Ḥanbal* by Ibn al-Jawzī.<sup>71</sup>

### (34-03) *Manāqib al-Shāfiʿī*.<sup>72</sup>

This is a treatise on the virtues of al-Shāfiʿī.

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<sup>68</sup> The last title, however, was found only in the printed *Tadhkirat al-Ḥuffāz*. It was copied by a number of modern scholars, but it is most probably a distortion of another title, *Fawā'id Abū'l-Qāsim al-Nasīb*. See: *TFZ*, 3:241. See below for the other work.

<sup>69</sup> Brockelmann, *GAL*, 1:401. See: Georges Salmon, *L'introduction topographique à l'histoire de Bagdād* d'Aboû Bakr Aḥmad ibn Thâbit al-Khatib al-Bagdâdhî, an introduction to *Tārīkh Baghdād* in 300 pages. Also: Guy Le Strange, "A Greek Embassy to Baghdād in 917 A.D., translated from the Arabic MS of al-Khaṭīb, in the British Museum Library," *The Journal of the Royal Asiatic Society of Great Britain and Ireland* 3 (1897): 35-45.

<sup>70</sup> Self-attribution: *TMS*, 6:103.

<sup>71</sup> Edited and translated by Michael Cooperson. No study was provided on the sources of the book. A brief study of the book shows that 16% of the first ten chapters (26 out of 164 accounts) are reported via al-Khaṭīb, excluding the list of teachers.

<sup>72</sup> The extant manuscripts: Istanbul: Hacı Selim Aga Library, 538/3 (193 bā' - 203 alif), Istanbul: Murat Mulla Library, 702 (203 alif - 214 alif), See: Şeşen, *Mukhtārāt*, 408.

**(35-04) *Akhbār Man Ḥaddatha wa Nasiya*.<sup>73</sup>**

The work gathers names of notable tradents who transmitted tradition to a certain receiver, but overlooked the latter or their former meeting. The work has its implicit aim of addressing the Ḥanafīs' rejection of certain narrations with such character.<sup>74</sup> Al-Khaṭīb was identified as the second person to compose on the subject after al-Dāraquṭnī.<sup>75</sup>

**(36-05) *Ta'liq al-Khaṭīb 'alā Su'ālāt al-Barqānī fī al-Jarḥ wa al-Ta'dīl*.<sup>76</sup>**

The work consists of al-Khaṭīb's commentary on al-Ḥāfiẓ al-Barqānī's inquisitive conversation with al-Ḥāfiẓ al-Dāraquṭnī concerning the impugment and validation of narrators.

**(\*2-06) *Tārīkh al-Anbiyā'***

This work concerns the history of Prophets. However, the attribution of this work to al-Khaṭīb is highly doubted as studied by Asyā Kulaybān.<sup>77</sup>

**(\*3-07) *al-Wafayāt*.**

No related information was found.<sup>78</sup> The title suggests a work in listing the dates of the demise of narrators.

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<sup>73</sup> al-Khaṭīb's work was summarised by al-Suyūṭī with the title *Tadhkirat al-Mu'tasī fī Man Ḥaddatha Wa Nasī* (Kuwait: al-Dār al-Salafiyyah, 1984), and it was the only extant work in the subject. Al-Suyūṭī's abbreviation consists of 37 cases of memory lapse, denouncement and unrecalled meeting. The cover should have mentioned that it is an abridged version of al-Khaṭīb's work.

<sup>74</sup> *al-Kifāyah*, 2:178.

<sup>75</sup> al-Dāraquṭnī's work does not extant.

<sup>76</sup> The extant manuscript: Istanbul: Library of Sultan Aḥmet III, 624/14 (116 alif – 119 alif). See: Şeşen, *Mukhtārāt*, 407.

<sup>77</sup> Asyā Kulaybān, ed. *Tārīkh al-Anbiyā'* (ascribed to al-Khaṭīb al-Baghdādī), (Beirut: Dār al-Kutub al-'Ilmiyyah, 2004).

<sup>78</sup> First mentioned in: Brockelmann, *GAL*, 1:401. He wrote: ed. M. Hidāyat Ḥusain, *JRAS Beng.* 1912, SA 38 SS.

## 2.6 Titles Germane to the Order, Continuity or Superiority in *Isnād*

### 2.6.1 Avoiding assumptions of accidental switches

(37-01) *Riwāyat al-Ābā' 'an al-Abnā'*.<sup>79</sup>

(38-02) *Riwāyāt al-Ṣaḥābah 'an al-Tābi'īn*.<sup>80</sup>

These titles review unusual narrations by earlier figures from later figures. The first discusses narration by parents from offspring, and the second reviews narrations by the Companions from the Followers. Adam Mez regarded these two works as a reflection of high subtlety in *ḥadīth* technical criticism.<sup>81</sup>

### 2.6.2 Avoiding assumptions of error due to inferior narration

(39-03) *Ḥadīth al-Sittah min al-Tābi'īn wa Dhikr Ṭuruqihī, wa-huwa Ḥadīth Aya'jizu Aḥadukum an Yaqra'a Kulla Laylah bi Thuluth al-Qur'ān*.<sup>82</sup>

Al-Khaṭīb analysed in this work various conflicting strands in the transmission of six Followers from one another, namely Maṣṣūr ibn al-Mu'tamir (132/750),<sup>83</sup> Hilāl ibn Yasāf (between 91-100/710-719),<sup>84</sup> al-Rabī' ibn Khuthaym (61 or 63/681 or 683),<sup>85</sup> 'Amr ibn Maymūn al-Awdī (74/694),<sup>86</sup> 'Abd al-Raḥmān ibn Abī Laylā (83/702),<sup>87</sup> and an Anṣārian woman whose name was not mentioned.

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<sup>79</sup> Self-attribution: *TMS*, 3:97, and 16:403, *al-Asmā' al-Mubhamah*, 2:151. Also: al-Sam'ānī (*apud TIM*, 10:181 -one fasciculus).

<sup>80</sup> al-Sam'ānī, *op. cit.*

<sup>81</sup> Adam Mez, *The Renaissance of Islam*, trans. Salahuddin Bakhsh (India: Kitāb Bhavan, 1995), 251.

<sup>82</sup> (Ahsā': Dār Fawāz, 1412/1991).

<sup>83</sup> *Siyar*, 5:402.

<sup>84</sup> Ibn Ḥajar, *Tahdhīb al-Tahdhīb*, (India: Dā'irat al-Ma'ārif al-Nizāmiyyah, 1909) 11:86.

<sup>85</sup> *Ibid*, 3:242.

<sup>86</sup> *Ibid*, 8:109.

<sup>87</sup> *Ibid*, 6:260

### 2.6.3 Avoiding assumptions of accidental slip or addition

(40-04) *al-Sābiq wa al-Lāḥiq fī Tabāʿud Ma Bayna Wafātay Rāwiyayn ʿan Shaykh Wāḥid*.<sup>88</sup>

The title translates *The Early and the Late; Cases of Far Distance between the Years of Demise of Two Students Who Both Relate from the Same Teacher*. The gap might suggest a missing link although it is not the case. Al-Khaṭīb was the first to compose on this subject.<sup>89</sup>

(41-05) *Tamyīz al-Mazīd fī Muttaṣil al-Asānīd*.<sup>90</sup>

Its subject concerns interpolation of a trustworthy narrator in an already unbroken chain of transmission.

### 2.7 Phenomena Germane to the Soundness of *Riwāyah*

(42-01) *al-Taḥṣīl li Mubham al-Marāsīl*.<sup>91</sup>

It is not clear whether the book addresses the subject of *mursal* in general or a certain type of *mursal*, particularly *al-mursal al-mubham* (conceived discontinuity).<sup>92</sup> Al-ʿAlāʾī (761/1359) in his extensive study on the narrators of *mursal*, he asserted that the composition in the subject of hidden *mursal* could only be done by an expert with acquisition of extremely vast materials.<sup>93</sup>

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<sup>88</sup> (Riyadh: Dār al-Ṣumayʿī, 2000)

<sup>89</sup> For the subject of The Early and The Late, see Ibn al-Ṣalāḥ's work in: Eerik Dickinson, trans., *An Introduction to the Science of Ḥadīth* (Garnet Publishing, 2006), 235.

<sup>90</sup> Self-attribution: *Muwaḍḍiḥ*, 1:294. Al-Mālikī recorded a title *Bayān Ḥukm al-Mazīd fī Muttaṣil al-Asānīd*. It could be a different treatise concerning the theoretical discussion on the subject while the one here compiles cases of such character.

<sup>91</sup> Self-attribution: *Talkhīṣ al-Mutashābih*, 1:302. A summary made by al-Nawāwī is extant at Escorial, Collection (1589).

<sup>92</sup> The excerpts suggest that it is a work on *al-mursal al-mubham* where a narrator used certain terms that entail direct audition or receipt of a narration from a contemporary whereas he only received it through indirect medium such as written correspondence. Hence, the *irṣāl* (unlinked forward) is obscured (*mubham*). Later, the term *al-mursal al-khaṭfiyy* (hidden *mursal*) was relatively agreed. See: Ḥātim al-ʿAwnī, *al-Mursal al-Khaṭfiyy wa-ʿAlāqatuḥu bi'l-Tadlīs* (Riyadh: Dār al-Hijrah, 1997).

<sup>93</sup> Abū Saʿīd al-ʿAlāʾī, *Jāmiʿ al-Taḥṣīl fī Aḥkām al-Marāsīl*, (Beirut: ʿĀlam al-Kutub, 1986), 125.

**(43-02) *al-Tabyīn li Asmā' al-Mudallisīn*.**<sup>94</sup>

The title suggests a list of *ḥadīth* narrators who exercised the obfuscation (*tadlīs*) of sources or transmission modes for a certain reason to the extent that it resembles a kind of deception.

**(44-03) *al-Faṣl li al-Waṣl al-Mudraj fī al-Naql*.**<sup>95</sup>

This is the first dedicated work on the subject of interpolation in the *isnād* and/or *matan* of *ḥadīth*, which reflects an application of both *sanad* and *matan* criticism. Al-Ishbīlī stated: This book has no match in its excellence.<sup>96</sup> The content will be further elaborated in future chapters.

## **2.8 The Principles of Ḥadīth Criticism**

**(45-01) *Bayān Ḥukm al-Mazīd fī Muttaṣil al-Asānīd*.**<sup>97</sup>

**(46-02) *al-Kifāyah fī Ma'rifat Uṣūl 'Ilm al-Riwāyah*.**

This book is the culmination of al-Khaṭīb's research on the principles of *takhrīj* and sciences of transmission. Eerik Dickinson and Scott Lucas both have pointed out the pivotal role of this work in the development of *ḥadīth* criticism.<sup>98</sup> This is seconded by the fact that Ibn al-Ṣalāḥ quoted from it more than seventy times in his *ḥadīth* curriculum, *Ma'rifat Anwa' 'Ulūm al-Ḥadīth*, whilst he quoted less than fifteen times from Ibn Khallād al-Rāmhurmuzī (360/970) and less than fifty

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<sup>94</sup> Self-attribution: *al-Kifāyah*, 2:144.

<sup>95</sup> (Riyadh: Dār Ibn al-Jawzī, 1997). It was transmitted from al-Khaṭīb's student Muḥammad ibn 'Alī al-Miṣṣīṣī al-Dimashqī (516/1122), the teacher of Ibn 'Asākir. From this line, it reached figures such as Abū Ṭāhir al-Silafī (576/1181) and 'Abd Allāh Abū Muḥammad al-Fāriqī (703/1304), a professor at Dār al-Ḥadīth in Damascus. This is the *mashriq* line). As for the *maghrib* line, his student, Abū'l-Walīd al-Bājī, transmitted it (474/1082). Through him, it reached figures such as Ibn Khayr al-Ishbīlī (575/1180) and al-Qāḍī 'Iyāḍ ibn Mūsā al-Yaḥṣubī (544/1150). See: *al-Waṣl al-Mudraj*, 1:98-105, Ibn 'Asākir, *Mu'jam Ibn 'Asākir* (Damascus: Dār al-Bashā'ir, 2000), 2:989, *TIM*, 11:266.

<sup>96</sup> al-Ishbīlī, *Fihrist*, 231 (292)

<sup>97</sup> *Tasmiyah*, (16), 'ISH, 123. See above: *Tamyīz al-Mazīd fī Muttaṣil al-Asānīd*.

<sup>98</sup> Dickinson, *Introduction*, 190 fn6. Scott Lucas, *Constructive Critics, Ḥadīth Literature and the Articulation of Sunnī Islam* (Leiden: Brill, 2004), 27.



times from al-Ḥākim of Nishapur.<sup>99</sup>

(\*4-03) *Ajwibat al-Masā'il*.<sup>100</sup>

Alleged to be responses to questions pertaining to science of *ḥadīth*.

## 2.9 The Study of *Fiqh* or Disputed Traditions

(\*5) The first reference to al-Khaṭīb's involvement in the writing of *fiqh* was his exercise of the *ta'līqah* tradition under Ibn al-Maḥāmīl.<sup>101</sup> However, no biographer speaks about this *ta'līqah* and no information was found pertaining to its completion or publication. The following works are arranged according to the common order of subtopics in *fiqh* works around al-Khaṭīb's time.

(47-01) *al-Wuḍū' min Mass al-Dhakar*.<sup>102</sup>

Al-Qudūrī reported a dispute between the Ḥanafīs and the Shāfi'īs under a section with the same title in *al-Tajrīd*.<sup>103</sup> Al-Ḥākim al-Jushamī (494/1101), a Zaydite Mu'tazilite scholar expressed that *aṣḥāb al-ḥadīth* fabricated the tradition of Busrah bint Ṣafwān to support their doctrinal position.<sup>104</sup> This shows that the term *aṣḥāb al-ḥadīth* refers specifically to the Shāfi'ites. Al-Khaṭīb had listed some of the related traditions and discussed them in his work on *al-Mudraḥ*.<sup>105</sup>

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<sup>99</sup> Ibn al-Ṣalāḥ's work was more popularly recognised as *Muqaddamah*. For the study and translation of the work, and al-Ḥāfiẓ Ibn Ḥajar's mention of al-Rāmḥurmuzī, al-Ḥākim and al-Khaṭīb, see: Eerik Dickinson, *Introduction*, xiii-xiv.

<sup>100</sup> It was attributed loosely by Ibn al-Ṣalāḥ, however, was refuted by al-Ḥāfiẓ al-ʿIrāqī saying that the same statement could be found in *al-Kifāyah*. See: Ibn al-Ṣalāḥ, *Muqaddamah*, 225, al-ʿIrāqī, *al-Taḥqīq*, 147.

<sup>101</sup> See Chapter One.

<sup>102</sup> Self-attribution: *al-Waṣl al-Mudraḥ*, 1:348, *Tasmiyah*, (31).

<sup>103</sup> *al-Tajrīd* (Cairo: Dār al-Salām, 2004), 1:180.

<sup>104</sup> It suggests that touching the genital necessitates an ablution. See: al-Ḥākim al-Jushamī, *Jilā' al-Abṣār fī Mutūn al-Akḥbār* (MSS. Princeton University, Yemeni Manuscript Digitization Initiative), 39-40, <http://arks.princeton.edu/ark:/88435/2r36tz81t>, accessed July 15, 2016. For al-Jushamī, see: Suleiman Mourad, "Towards a reconstruction of the Mu'tazili tradition of Qur'anic exegesis" in *Aims, methods and contexts of Qur'anic exegesis (2nd/8th-9th/15th centuries)*, ed. Karen Bauer (Oxford: Oxford University Press, 2013) 101-137.

<sup>105</sup> *al-Waṣl al-Mudraḥ*, 1:348.

**(48-02) *Ḥadīth Idhā Uqīmat al-Ṣalāt falā Ṣalāt illa al-Maktūbah.***<sup>106</sup>

Al-Khaṭīb's contemporary and the great Shāfi'ī reference in Merv, al-Qāḍī al-Ḥusayn al-Marwarrūdhī (462/1069) asserted that this tradition of Abū Hurayrah supports al-Muzanī's refutation against the opinion of Abū Ḥanīfah.<sup>107</sup> According to the Shāfi'īs, supererogatory prayer is annulled with the beginning of *iqāmah* (second call to prayer after *adhān*). The Ḥanafīs held that as long as one expects that one may still join the congregation without missing the obligatory prayer, one should perform the supererogatory prayer first.<sup>108</sup>

**(49-03) *Ḥadīth al-Imām Ḍāmin wa al-Mu'adhdhin Mu'taman.***<sup>109</sup>

It is difficult to identify the issue that is discussed in this book for there are several issues attached to this tradition. Ibn al-Jawzī reported a dispute over the status of *ma'mūm*'s (followers) prayer if the *imām* (leader) was not in the required state of purity. According to him, al-Shāfi'ī opined that the congregation never repeat their prayer save for the leader while Abū Ḥanīfah opined that the whole congregation should repeat their prayer in whatever condition. The Ḥanbalīs were of the same opinion with the latter as long as the leader has yet completed the prayer and the tradition above was employed against al-Shāfi'ī.<sup>110</sup>

**(50-04) *Nahj al-Ṣawāb, fī anna al-Tasmiyah Āyah min Fātiḥat al-Kitāb.***<sup>111</sup>

Based on the responses against this work, it is clear that the aim of this work is to support the position of al-Shāfi'ī that the *basmalah* (*Bismillah al-Raḥmān al-Raḥīm*) is attested as one of the seven verses of al-Fātiḥah, the first chapter in the

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<sup>106</sup> *Tasmiyah*, (48). The tradition reads 'When the minor calling to the prayer was made, there is no prayer save the obligatory one.'

<sup>107</sup> al-Ḥusayn al-Marwarrūdhī, *al-Ta'liqah 'alā Mukhtaṣar al-Muzanī* (Makkah: Maktabah Nizār al-Bāz), 2:980.

<sup>108</sup> As explained by al-Khaṭīb's junior contemporary al-Sarakhsī in his commentary on *Mukhtaṣar al-Karkhī*. See: *al-Mabsūt* (Beirut: Dār al-Ma'rifah, 1993), 1:167.

<sup>109</sup> *Tasmiyah*, (62), *ISH*, 121.

<sup>110</sup> Ibn al-Jawzī, *al-Taḥqīq fī Aḥādīth al-Khilāf* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1415), 1:487-488.

<sup>111</sup> *Tasmiyah*, (25), mentioning two fasciculi, al-Sam'ānī (*apud TFZ*, 3:1140, -one fasciculus), Ibn al-Jawzī, *al-Taḥqīq*, 1:345, and *al-Muntaẓam*.

Qur'ān. Ibn al-Jawzī wrote against both al-Dāraqūṭnī and al-Khaṭīb on this subject upholding the view of the Ḥanbalīs.<sup>112</sup>

**(51-05) *al-Jahr bi Bismillāh al-Raḥmān al-Raḥīm fī al-Ṣalāh*.**<sup>113</sup>

Similar to the above, this work reflected al-Khaṭīb's support for the opinion of al-Shāfi'ī who maintains that recitation of *basmalah* before al-Fātiḥah must be made aloud in audible prayers. Al-Khaṭīb advanced a number of traditions concluding that this opinion was the practice of most Companions in Madinah after the Prophet time. The Ḥanbalī Ibn 'Abd al-Hādī (909/1503) wrote a refutation against this work entitled *al-Radd 'alā al-Khaṭīb fī Mas'alat al-Jahr bi l-Basmalah*.

**(52-06) *al-Qunūt wa al-Āthār al-Marwiyyah fīhi 'alā Ikhtilāfihā wa Tartībuhā 'alā Madhhab al-Shāfi'ī*.**<sup>114</sup>

Ibn al-Jawzī viewed this work as al-Khaṭīb's fanatical attempt to defend the Shāfi'īte position on the subject of *al-qunūt* (devout invocation) in the obligatory dawn prayer.<sup>115</sup>

**(53-07) *al-Ghusl li'l-Jum'ah*.**<sup>116</sup>

It is unclear what inspired this compilation. Al-Khaṭīb's contemporary, the Mālikī Ibn 'Abd al-Barr (463/1071) asserted that except for the Zāhirīs, no scholar he knew opines that the bathing for Friday congregation is obligatory. They based their view on two traditions he mentioned in *al-Istidhkār*.<sup>117</sup>

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<sup>112</sup> Ibn al-Jawzī, *al-Taḥqīq*, 1:345.

<sup>113</sup> The original does not extant. It was attributed by al-Sam'ānī (*apud HMDB*, 1:387). See: Ibn al-Jawzī, *al-Taḥqīq*, 1:352, Ibn 'Abd al-Hādī al-Ḥanbalī, *Tanqīḥ al-Taḥqīq* (Riyadh: Aḍwā' al-Salaf, 2007) 2:178, and al-Dhahabī, *Mukhtaṣar al-Jahr bi al-Basmalah* (Abu Dhabi: Baynūnah, 2003).

<sup>114</sup> *Tasmiyah*, (27), -three fasciculi, al-Sam'ānī (*apud HMDB*, 1:387).

<sup>115</sup> Ibn al-Jawzī, *al-Taḥqīq*, 1:464.

<sup>116</sup> *Tasmiyah*, (46), -two fasciculi, al-Sam'ānī (*apud HMDB*, 1:387).

<sup>117</sup> Ibn 'Abd al-Barr, *al-Istidhkār* (Damascus: Dār Qutaybah, 1993), 5:17. There is a minor dispute amongst the Ḥanafīs due to different statement made by Abū Yūsuf and al-Shaybānī. Nevertheless, al-Qudūrī asserted that the bathing is supererogatory. *Mukhtaṣar* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1997), 12, Badr al-Dīn al-'Aynī, *al-Bināyah Sharḥ al-Hidāyah* (Beirut: Dār al-Kutub al-'Ilmiyyah, 2000), 1:338.

(54-08) *Ṣalāt al-Tasbīḥ, wa al-Aḥādīth allatī Ruwīyat ‘an al-Nabiyy ṣalla Allāh ‘alayhi wa sallam fīhā, wa Ikhtilāf Alfāz al-Nāqilīn ‘alayhā.*

The book concerns a type of supererogatory prayer known as *ṣalāt al-tasbīḥ*, whose legitimacy has been debated for a long time amongst scholars. The Shāfi‘īs Ibn al-Maḥāmīlī and al-Qāḍī al-Ḥusayn al-Marwarrūdhī viewed that it is considered *mustaḥabb* (encouraged) although Ibn al-Maḥāmīlī had asserted that the narration is not fully convincing.<sup>118</sup> Later Shāfi‘īs such as al-Ḥāfiẓ al-Nawawī (676/1277) affirmed that it has no basis in the prophetic tradition, but hesitated on the final conclusion.<sup>119</sup> Accounts related from Ibn Ḥanbal indicate that he affirms no authentic tradition to support the cause.<sup>120</sup> Ibn al-Jawzī included most of related traditions in his work on apocryphal traditions.<sup>121</sup> Al-Khaṭīb provided twenty-nine primary narrations for this prayer and the editor describes this treatise as the most comprehensive extant work that affirms the legitimacy of this prayer.

(55-09) *Juz’ fīhi Ṭuruq Ḥadīth ‘Abd Allāh ibn ‘Umar ‘an al-Nabiyy fī Tarā’i al-Hilāl, Takhrīj Abū Bakr al-Khaṭīb.*<sup>122</sup>

The treatise studies the tradition of Ibn ‘Umar on determining the beginning and the end of fasting in Ramaḍān through the sighting of the moon and disputed reliance on the calculating method due to the ambiguous clause “*fa-qdurū lahu*” (limit vs. expand it). It is closely connected to the issue of the doubtful date (*yawm al-shakk*), which follows the cloudy evening of 29<sup>th</sup> of Sha‘bān, as well as the reliance on one witness for the sighting. Ibn ‘Abd al-Barr pointed out how this tradition was held as a proof to maintain Ibn Ḥanbal’s view on fasting on the doubtful day.<sup>123</sup>

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<sup>118</sup> Ibn al-Maḥāmīlī, *al-Lubāb*, 145, al-Qāḍī al-Ḥusayn (*apud* Ibn Ḥajar, see below).

<sup>119</sup> For opinion of scholars see: Ibn Ḥajar al-‘Asqalānī, *al-Talkhīṣ al-Ḥabīr* (Egypt: Qurṭubah, 1995), 2:14. He viewed that Ibn al-Jawzī transgressed in his judgment over the traditions when he included them in *al-Mawḍū‘āt*, a treatise on apocryphal traditions.

<sup>120</sup> ‘Abd Allāh al-Shaybānī, *Masā’il al-Imām Aḥmad Ibn Ḥanbal* (Beirut: al-Maktab al-Islāmi, 1981), 89.

<sup>121</sup> Ibn al-Jawzī, *al-Mawḍū‘āt* (Madinah: al-Maktabah al-Salafiyyah, 1966), 2:143.

<sup>122</sup> (Egypt: Dār al-Ḍiyā’, 1998)

<sup>123</sup> See below, next work.

Among the traditions reported on this subject, the tradition of Ibn ‘Umar is of the highest import due to its high potential validity and its unusual interpretation by Ibn ‘Umar himself. Al-Khaṭīb exhausted most of the important chains of this tradition and provided its significant wording variants that lead to the differences of opinion on the subject.<sup>124</sup>

**(56-10) *Mas’alat Ṣiyām Yawm al-Shakk, fī al-Radd ‘alā Man Ra’ā Wujūbahu*.**<sup>125</sup>

The book provides arguments against the obligation of fasting on the doubtful date. This is apprehended from the sharp rebuke by Ibn al-Jawzī in regards to this work.<sup>126</sup> Both al-Khaṭīb and Ibn ‘Abd al-Barr assigned to Aḥmad Ibn Ḥanbal a view that is contrary to the majority of Sunnī scholars, which is an obligation of fasting during the doubtful date (30th of Sha‘bān or 1st of Ramaḍān). Should it be discovered as the first of Ramaḍān based on moon sighting at the end of it, the former fasting sufficed to be counted as one day of fasting.<sup>127</sup>

**(57-11) *Ibtāl al-Nikāḥ bi Ghayr Waliyy*.**<sup>128</sup>

Inferred from the work of al-Qudūrī and al-Khaṭīb’s passages, this treatise evidently concerns a debate between the Hanafites and other jurists particularly the Shāfi‘īs on the permissibility of a mature female to bring herself into a marriage without having a *waliyy* (eligible representative) to affect the marriage on her behalf.<sup>129</sup> Al-Khaṭīb alluded to this debate in *al-Kifāyah* where he expressed that later Ḥanafīs rejected the tradition of Ibn Shihāb al-Zuhrī (124/742) in this subject.<sup>130</sup>

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<sup>124</sup> The tradition reads: ‘Observe fast on witnessing it (the new moon) and break it on witnessing it. But if (due to clouds) the actual position of the month is concealed from you, you should then *uqdurū*’ in a version ‘count it thirty days.’

<sup>125</sup> *Tasmiyah*, (28), -one fasciculus, al-Sam‘ānī (apud HMDB, 1:387).

<sup>126</sup> Ibn al-Jawzī, *Dar’ al-Lawm wa al-Ḍaym fī Ṣawm Yawm al-Ghaym*, (Riyadh: Dār al-Bashā’ir, 1994).

<sup>127</sup> Ibn ‘Abd al-Barr, *al-Istidhkār*, 10:17. Cf. al-Matroudi, *Ḥanbalī School*, 104.

<sup>128</sup> Self attribution: *al-Waṣl al-Mudraḡ*, 2:757. Also: *Tasmiyah*, (29).

<sup>129</sup> al-Qudūrī, *al-Tajrīd*, 9:4237.

<sup>130</sup> *al-Kifāyah*, 2:178.

**(58-12) *al-Qaḍā' bi al-Yamīn ma'a al-Shāhid*.**<sup>131</sup>

The work evidently compiles traditions on making legal decision based on a single witness accompanied by his oath. According to al-Khaṭīb, it is a position held by *aṣḥāb al-ḥadīth*, most of the jurists among the Mālikites and the Shāfi'ites, and most of the theologians, while the later Ḥanafīs rejected this position. Among their arguments is that the tradition of Suhayl ibn Abī Ṣāliḥ that supports it is invalid because Suhayl did not recognise it in the later phase of his life. This coincides with al-Jaṣṣāṣ's discussion on this particular subject and tradition when he explained the work of the Ḥanafī traditionist, Abū Ja'far al-Ṭaḥāwī. Al-Khaṭīb treated the Ḥanafīs argument from two perspectives; the potential veracity of *ḥadīths* in the subject and the status of the forgotten narrations.<sup>132</sup>

**(59-13) *al-Ḥiyal*.**<sup>133</sup>

The title refers to a sort of legal evasion, where a jurist replaces an apparent sense of a law with another sense that suits a legal solution, which is legitimate only in another specific situation.<sup>134</sup> It has been a bone of contention between *aṣḥāb al-ḥadīth* and the Ḥanafīs as suggested by Melchert. However, al-Khaṭīb exhibited a distinctive stance.<sup>135</sup>

## **2.10 Compilations on Theology**

**(60-01) *Ḥadīth al-Nuzūl*.**<sup>136</sup>

Apparently, it is a compilation of traditions pertaining to God's descend to the lowest heaven at the end of two-third of a night as done prior to him by al-Dāraquṭnī.<sup>137</sup>

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<sup>131</sup> al-Sam'ānī (*apud TIM*, 10:181).

<sup>132</sup> See above: *Akhbār Man Ḥaddatha*.

<sup>133</sup> al-Sam'ānī (*apud HMDB*, 1:387). The title was distorted to read *al-Khayl* (Horse).

<sup>134</sup> See: Muhammed Imran, "Legal Stratagems (*Ḥiyal*) and Usury in Islamic Commercial Law" (PhD Diss., University of Birmingham, 2010).

<sup>135</sup> See Chapter Four.

<sup>136</sup> *Tasmiyah*, (61).

(61-02) *al-Kalām* or *Mas'alat fī al-Ṣifāt*.<sup>138</sup>

It is a brief epistle on the apparently anthropomorphic attributes of God.<sup>139</sup>

(62-03) *al-Qawl fī 'Ilm al-Nujūm, Hal al-Shurū' fīhi Mashrū' aw Madhmūm*.<sup>140</sup>

It is a response to the question asked to al-Khaṭīb on the permissibility of learning the science of celestial bodies. The original work was supported with *isnād* for every account. Al-Khaṭīb differentiated between astrology and astronomy in this work.

## 2.11 Compilations Pertaining to Spirituality, Pietism and the States of the Heart

The works in this area indicate al-Khaṭīb's adoption of the culture of piety during his time.

(63-01) *Aḥādīth Gharībah wa Manāmāt*.<sup>141</sup>

The title suggests a collection of strange stories and dreams.

(64-02) *Raḳīq Inshādāt fī al-Zuhd wa'l-Raḳā'iq*.<sup>142</sup>

The title mentioned by al-Ishbīlī suggests a compilation of poems and words of wisdom, especially from the ascetics and Ṣūfīs, which indicates a distinct work from the following.

(65-03) *al-Zuhd wa al-Raḳā'iq*.<sup>143</sup>

The original work seems to contain narrations pertaining to ascetic acts of the Prophets, the Companions, the Successors and the later practitioners of *zuhd*

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<sup>137</sup> See: Abū'l-Ḥasan al-Dāraquṭnī, *Kitāb al-Nuzūl* (Madinah, 1983).

<sup>138</sup> It was edited by 'Abd Allāh al-Judaei and published in: *Majallah al-Ḥikmah* 1 (1414/1993): 281.

<sup>139</sup> The extant manuscript: Damascus: Zahiriyyah Library, Col. 16.

<sup>140</sup> (Beirut: Dār al-Kutub al-'Ilmiyyah, 2004).

<sup>141</sup> al-Ishbīlī, *Fihrist*, 228.

<sup>142</sup> Op. Cit.

<sup>143</sup> Summarised by an unknown author in *al-Muntakhab min al-Zuhd wa al-Raḳā'iq* (Beirut: Dār al-Bashā'ir, 2000).

and *taṣawwuf*. This is evident from Ibn al-Jawzī's citation of al-Khaṭīb for his *isnāds* in *Ṣifat al-Ṣafwah*. The published part contains 119 accounts treating subjects such as the definition and concept of *taṣawwuf*, certitude, love, wearing wool clothes, and miracles of saints.

## 2.12 Unknown Subjects

### (66-04) *Kashf al-Asrār*.<sup>144</sup>

The title translates as *Revealing the Secrets*.

### (67-05) *Riyāḍ al-Uns ilā Ḥadā'ir al-Quds*.<sup>145</sup>

All the previous are titles attributed to al-Khaṭīb with regard to topic-based compilations. A statement he made in *al-Jāmi'*, however, might add another twelve titles if al-Khaṭīb was actually referring to himself in that statement.<sup>146</sup>

## 2.13 al-Khaṭīb's Personal, Rare and Unique Collections

### (68-01) *al-Amālī* or *Amālīhi fī Masjid Dimashq*.

This comprises of al-Khaṭīb's collections of dicta, which he delivered at the Umayyad Mosque of Damascus until Muḥarram of 459 AH/1067 CE.<sup>147</sup> Parts of it were found in manuscripts<sup>148</sup> and the fifth part was published in digital form under the title *Arba'u Majālis li'l-Khaṭīb al-Baghdādī*. The original autograph collection was transmitted on the authority of al-Khaṭīb's student, Abū Maṣṣūr Ibn Khayrūn

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<sup>144</sup> Hacı Halife, *Kashf al-Zunūn* (Beirut: Iḥyā' al-Turāth), 2:1486, Ismā'īl Bashā, *Hadiyyat al-'Ārifīn*, 1:79.

<sup>145</sup> The extant manuscript of this work: Damascus: Zahiriyyah Library, (22 Tafsīr) 124. Al-'Ishsh concluded that the style of the text does not match the style of al-Khaṭīb, yet he was refuted by al-Dābī. The present study does not have access to the manuscript.

<sup>146</sup> *al-Jāmi'*, 2:300.

<sup>147</sup> He later moved to Tyre in Ṣafar of 459 H. The following sittings are learned from the fifth part of the manuscript: (1) Friday, in Dhū al-Ḥijjat 458 H, (2) Friday, 3<sup>rd</sup> Muḥarram 459 H, (3) Friday, 10th Muḥarram 459 H, and (4) Friday, 4 days remained of Shawwāl 459 H (?).

<sup>148</sup> The extant manuscripts: The fifth (5) part at Damascus: Zahiriyyah Library, Col. 27 (Qāf 203 – 210). See: al-Albānī, *Fihris Makḥṭūṭāt Dar al-Kutub al-Zāhiriyyat*, 362. The seventh (7) and eighth (8) parts: Brockelmann mentioned this work with the title *Aḥādīth Mukhtārat* and stated that they are in ten parts with reference to Fayḍullah 555 and Zahiriyyah 353. According to al-'Ishsh, the two parts are at Zahiriyyah, Col. 92 (9) 17<sup>1</sup>. See: Brockelmann, *GAL*, (19), and *ISH*, 121.



(539/1145). The forty-five published traditions engaged subjects such as *adhkār* (sayings of remembrance), fasting and the remembrance of the hereafter, illustrating the nature of al-Khaṭīb's session at the mosque.

**(69-02) *al-Rubā'īyyāt*.**<sup>149</sup>

It promises a collection of transmissions with four-tier chains that indicate superior *isnāds* of al-Khaṭīb.<sup>150</sup>

**(70-03) *al-Musalsalāt* and *Musalsal al-ʿĪdayn*.**<sup>151</sup>

The original huge work of al-Khaṭīb entitled *al-Musalsalāt* does not extant except for a fragment reporting the *musalsal* of *ʿĪdayn* (the two celebrations). It shows that all narrators in the strand, beginning with al-Khaṭīb to the source of the *ḥadīth*, shared the same attribute, which is transmitting this particular *ḥadīth* either after the prayer of *ʿĪd al-Fiṭr* or *ʿĪd al-Aḍḥā*.<sup>152</sup>

**(71-04) *Min Ḥadīthihi ʿan Shuyūkhī*.**<sup>153</sup>

A collection of traditions al-Khaṭīb gathered from his informants.

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<sup>149</sup> Ibn al-Najjār in *Dhayl* (*apud TFZ*, 3:1140, -three fasciculi). Also: *ʿISH*, 123 (mistakenly recorded as Shuhbah instead of al-Dhahabī).

<sup>150</sup> The term *rubā'īyyāt* is usually used in the genre of *al-ʿawālī wa al-nawāzil* to denote chains that have only four tiers of narrators. It demonstrates either the early involvement of a person in the learning circles or his diligence and perseverance in seeking the superior sources of *ḥadīth*.

<sup>151</sup> The extant manuscript of this work: Turkey: Istanbul University Library, *apud* Akram al-ʿUmarī, Madinah: Arif Hekmat Library, Col. 167, and Madinah: Islamic University Library, 498/mīm. The *Musalsal al-ʿĪdayn* was transmitted by al-Khaṭīb to his student Abū Muḥammad al-Akfānī twice, during *ʿĪd al-Fiṭr* and *ʿĪd al-Aḍḥā* of the year 457/1065 at Damascus.

<sup>152</sup> The tradition reads: 'O people, you have attained goodness (by praying with us). Whoever wishes to leave, he may leave, and whoever wishes to stay until the end of the sermon may stay along.' *Musalsal* (sequenced) is a genre of *ḥadīth* collection, which documented narrations that appear like a sequenced story where in every tier of the chain a same state, story or condition is repeated.

<sup>153</sup> The extant manuscript: Damascus: Zahiriyyah Library, (228 Ḥadīth), 41-42 (*apud* al-Albānī).

## 2.14 Personal Compilations of *Riwayah* (*Ḥadīth* or Transmitters) of an Individual Chief Narrator

### 2.14.1 *Musnad* of the Companions

(72-01) *Musnad Abū Bakr al-Ṣiddīq (13/635) ‘alā Sharṭ al-Ṣaḥīḥayn.*<sup>154</sup>

This promises a collection of sound traditions attributed to the first Caliph that comply with the criteria of the two *ṣaḥīḥs*.<sup>155</sup>

(73-02) *Musnad Ṣafwān ibn ‘Assāl (d. Kufah, between 35-40/656-661).*<sup>156</sup>

(74-03) *Musnad or Juz’ Ḥadīth Nu‘aym ibn Hammār al-Ghaṭafānī (d. Shām, between 41-50/662-670).*<sup>157</sup>

### 2.14.2 Traditions of the second Hijrī / eight century

(75-01) *Majmū’ Ḥadīth Maṭar ibn Ṭuhmān al-Warrāq (125 or 129/743 or 747).*<sup>158</sup>

Maṭar is a Khurāsānian narrator from the Companion Anas.<sup>159</sup>

(76-02) *Majmū’ Ḥadīth Muḥammad ibn Jaḥādah (131/749).*<sup>160</sup>

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<sup>154</sup> *Tasmiyah*, (55), *ISH*, 122.

<sup>155</sup> The title alludes to the status of the two *ṣaḥīḥs*, yet the work is not extant to enable an examination of al-Khaṭīb’s understanding of the principles of *taḥqīq* (evaluation) employed by al-Bukhārī and Muslim.

<sup>156</sup> al-Murādī. See: *al-Asmā’ al-Mubhamah*, 2:144, Abū Nu‘aym, *Ma’rifat al-Ṣaḥābah* (Riyadh: Dār al-Waṭan, 1998), 3:1501. Attribution: *Tasmiyah*, (51), *ISH*, 122.

<sup>157</sup> The work could be reproduced from al-Khaṭīb’s text in *al-Mihrawāniyyāt*. Abū Nu‘aym stated: ‘Nu‘aym ibn Hammār or Habbār, al-Ghaṭafānī, reported too as ibn Ḥimār, Haddār or Ḥammād.’ Al-Khaṭīb added: ‘It was also reported Khammār.’ Abū Nu‘aym recorded three narrations reported on the authority of Nu‘aym. Al-Khaṭīb added the fourth but mentioned that the strand is broken. Hence, al-Khaṭīb concluded that the three narrations recorded by al-Mihrawānī were the only unbroken transmissions to the Companion. The biography of Nu‘aym was also discussed by Ibn ‘Abd al-Barr. See: Abū Nu‘aym, *Ma’rifat al-Ṣaḥābah*, 5:2669, Ibn ‘Abd al-Barr, *al-Istī‘āb fī Ma’rifat al-Aṣḥāb* (Beirut: Dār al-Jīl, 1992), 4:1509, al-Mihrawānī, *al-Mihrawāniyyāt* (Madinah: Islamic University, 2002), 560-577.

<sup>158</sup> *Tasmiyah*, (54), al-Sam‘ānī (*apud* *Siyar*, 18:292), both mentioned one fasciculus, *ISH*, 122, (mistakenly recorded as ibn Hammāz al-‘Aṣḥānī).

<sup>159</sup> Abū Rajā’ al-Khurasānī, a scribe and a narrator: *Siyar*, 5:452.

<sup>160</sup> *Tasmiyah*, (40), *ISH*, 122 (mistakenly recorded as ibn Hījārah).

He was a Kūfan narrator from Anas.<sup>161</sup>

(77-03) *Majmū' Ḥadīth Bayān ibn Bishr (between 131-140/749-758).*<sup>162</sup>

He was a Kūfan narrator from Anas.<sup>163</sup>

(78-04) *Majmū' Ḥadīth Ṣafwān ibn Sulaym (132/750).*<sup>164</sup>

He was a Madīnan narrator from Anas.<sup>165</sup>

(79-05) *Majmū' Ḥadīth Abī Ishāq al-Shaybānī (ca. 140/758).*<sup>166</sup>

He was a Kūfan narrator from the Companion Ibn Abī Awfā.<sup>167</sup>

(80-06) *Majmū' Ḥadīth or Musnad*<sup>168</sup> *Muḥammad bin Sūqah (ca. 140/758).*<sup>169</sup>

He was a Kūfan narrator from Anas.<sup>170</sup> Al-Khaṭīb mentioned this work in *Tārīkh*.<sup>171</sup>

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<sup>161</sup> *Siyar*, 6:175.

<sup>162</sup> *Tasmiyah*, (41), *ISH*, 122.

<sup>163</sup> al-Aḥmasī, *Siyar*, 6:124.

<sup>164</sup> *Tasmiyah*, (42), *ISH*, 122.

<sup>165</sup> al-Zuhrī al-Madanī, see: *Siyar*, 5:364.

<sup>166</sup> *Tasmiyah*, (39) -three fasciculi, *ISH*, 121.

<sup>167</sup> There were two individuals known as Abū Ishāq al-Shaybānī. I identify his name as Sulaymān due to a statement in *al-Jāmi'*. See below. Sulaymān ibn Abī Sulaymān was born in the time of the Companions. See: *Siyar*, 6:193.

<sup>168</sup> As named by Ibn al-Najjār, see below.

<sup>169</sup> *Tasmiyah*, (38), Ibn al-Najjār in *Dhayl*, (*apud* TFZ, 3:1140), both mentioned four fasciculi. Also: *ISH*, 122.

<sup>170</sup> Abū Bakr al-Ghanawī, see: Ibn Ḥibbān, *Mashāhīr 'Ulamā' al-Amṣār* (Egypt: Dār al-Wafā', 1991), 266, *Siyar*, 6:134.

<sup>171</sup> In the entry on 'Alī ibn 'Āṣim ibn Ṣuhayb al-Wāsiṭī, al-Khaṭīb recorded conflicting opinions on this Kūfan narrator by critics of transmitters. Al-Khaṭīb asserted that the problem of 'Alī ibn 'Āṣim lies mainly in the tradition he narrated on the authority of Muḥammad ibn Sūqah, The tradition was considered spurious by many *ḥadīth* masters. However, some of them approved it. Ibn Rizquiyē narrated to al-Khaṭīb that the Prophet was seen in a dream and asked of it and he approved the *ḥadīth*. Al-Khaṭīb stated that many other figures were reported to have narrated this *ḥadīth* from Ibn Sūqah, apart from 'Alī ibn 'Āṣim. He concluded: 'We have mentioned their isnāds in our collection of the *ḥadīth* of Muḥammad ibn Sūqah. However, none of these were reported with a reliable strand.' See: *TMS*, 13:407.

**(81-07) *Majmū' Ḥadīth Ja'far ibn Ḥayyān (165/782).***<sup>172</sup>

He was a Baṣran narrator said to have lived contemporaneously with Anas ibn Mālīk but has never met him.<sup>173</sup>

**(82-08) *Majmū' Ḥadīth Miṣ'ar ibn Kidām (155/772).***<sup>174</sup>

He was a great Kūfan traditionist compared usually with Shu'bah ibn al-Ḥajjāj.<sup>175</sup>

**(83-09) *Mu'jam al-Ruwāt 'an Shu'bah (160/777).***<sup>176</sup>

The title suggests a list of all narrators (possibly with their narrations) who transmitted from the renowned Baṣran traditionalist, Shu'bāh ibn al-Ḥajjāj.<sup>177</sup> This huge collection should have been amongst al-Khaṭīb's greatest contribution to the study of history of transmission.

**(84-10) *al-Ruwāt 'an Mālīk ibn Anas (179/796) wa Dhikr Ḥadīth li Kullin Minhum.***<sup>178</sup>

This gigantic work is similar to the previous and another great contribution to the field. It lists all transmitters from Mālīk ibn Anas including those found in *al-Muwattā'* and elsewhere, with the mention of their specific narrations.

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<sup>172</sup> The extant manuscript of this work: Damascus: Zahirīyyah Library (390 Ḥadīth). See: *ISH*, 122.

<sup>173</sup> *Talkhīṣ al-Mutashābih*, vol. 1, p. 235 and *Siyar A'lām al-Nubalā'*, vol. 7, p. 286.

<sup>174</sup> *Tasmiyah*, (44), *ISH*, 122.

<sup>175</sup> *Miṣ'ar al-Hilālī*, see: *Siyar*, 7:163. For Shu'bah, see below.

<sup>176</sup> Ibn al-Najjār in *Dhayl* (apud *TFZ*, 3:1140, one volume, *Siyar*, 18:292, eight fasciculi).

<sup>177</sup> On critical reading of Shu'bah, see: G.H.A. Juynboll, "Shu'ba b. al-Ḥajjāj and his Position among the Traditionalists of Baṣra" *Le Muséon* 111 (1998): 187-226.

<sup>178</sup> Despite that al-Dāraqūṭnī and another scholar al-Ḥasan ibn Ismā'īl al-Ḍarrāb had already composed on the subject, al-Khaṭīb's work was chosen for two abridgements. The first was made by Rashīd al-Dīn al-'Aṭṭār (662/1264), entitled *Mujarrad Asmā' al-Ruwāt 'an Mālīk* (Madinah, Maktabah al-Ghurabā', 1416/1995). In his work, the number of narrators from Mālīk reaches 1586 persons. The second was made by al-Suyūṭī and included in his book, *Tazyīn al-Mamālik fī Manāqib al-Imām Mālīk* (Morocco: Dār al-Rashād, 2010). In al-Suyūṭī's version, the number was only 935. Both works list only the names of the narrators.

**(85-11) *Aṭrāf al-Muwaṭṭaʾ*.<sup>179</sup>**

This is an index of the first phrase of every *ḥadīth* in the *Muwaṭṭaʾ* of Mālik ibn Anas.<sup>180</sup> The present *Muwaṭṭaʾ* has several versions disseminated by the students of Mālik; however, the approximate total of narrations in the book is 1720.

It is highly possible that there are some other collections resembling the previous type of work. Al-Khaṭīb could have indicated himself by mentioning “fellows of *ḥadīth*” in a statement in *al-Jāmiʿ*.<sup>181</sup> Assuming that this is true, it will add another eighteen titles to his oeuvres.

**2.15 Selection, Partition and Retracement**

(Arranged according to the date of demise of the author of the primary text or collection).

**(86-01) *ʿAwālī Aḥādīth Mālik ibn Anas*.<sup>182</sup>**

It consists of a list of *ḥadīths* with superior strands reported on the authority of Mālik ibn Anas. Al-Khaṭīb retraced these *ḥadīths* either in other canonical collections or by finding other sound chains for them.

**(87-02) *Tajziʾat Sunan Abū Dāwūd (275/889)*.**

Some biographers had taken this work as a summary of al-Khaṭīb’s *Sunan*.<sup>183</sup> Al-Khaṭīb had instead audited from his *ḥadīth* teachers the *Sunan* of Abū Dāwūd from

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<sup>179</sup> al-Suyūṭī, *Tanwīr al-Ḥawālik Sharḥ Muwaṭṭaʾ Mālik* (Egypt: Dār Iḥyāʾ al-Kutub al-ʿArabiyyah), 1:12.

<sup>180</sup> See on *Muwaṭṭaʾ*: Ignaz Goldziher, *Muslim Studies (Muhammedanische Studien)*, ed. S. M. Stern, (London: George Allen & Unwin Ltd, 1971), 2:198.

<sup>181</sup> al-Khaṭīb said: ‘The normative practice of fellows of *ḥadīth* is to compile traditions of a certain notables apart from the above. I shall mention here those I remember. Amongst them, Ismāʿīl ibn Abī Khālīd al-Bajālī, Ayyūb ibn Abī Tamīm al-Sakhtiyānī, Bayān ibn Bishr al-Aḥmasī ...’ See: *al-Jāmiʿ*, 2:297.

<sup>182</sup> The extant manuscript of this work: Damascus: Zahiriyyah Library, Col. 101 (Qāf 70 – 80). See: al-Albānī, *Fihris al-Zāhiriyyah*, 364.

students of Abū Dāwūd.<sup>184</sup> The copy represents al-Khaṭīb's narration and partition of Abū Dāwūd's work.

**(88-03) *Fawā'id 'Abd Allāh ibn 'Alī ibn 'Ayyād al-Ṣūrī (450/1058).***<sup>185</sup>

This is a selection and retracement for the collection of the judge 'Ayn al-Dawlah of Tyre.<sup>186</sup>

**(89-04) *al-Fawā'id al-Muntakhabah, al-Ṣiḥāḥ wa'l-Gharā'ib, li-Abū'l-Faraj Ḥamd ibn al-Ḥasan al-Dīnawarī al-Kisā'ī (460/1068).***<sup>187</sup>

The title translates *The Selected Beneficial Narrations from the Collection of al-Dīnawarī al-Kisā'ī*:<sup>188</sup> *Sound and Rare Narrations.*

**(90-05) *Maḡlis min Imlā' Abū Ja'far Muḥammad ibn Aḥmad Ibn al-Muslimah (465/1073).***<sup>189</sup>

A retracement for the collection of the leading traditionist, Abū Ja'far, who was the uncle of al-Khaṭīb's close friend, the minister Ibn al-Muslimah.<sup>190</sup> Al-

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<sup>183</sup> Brockelmann and al-'Ishsh named it *Mukhtaṣar al-Sunan min Aṣl al-Khaṭīb* and both ascribed it to al-Ḥāfiẓ 'Abd al-'Aẓīm al-Mundhirī (656/1258). Al-Mundhirī's manuscript of the summary of *Sunan Abū Dāwūd* is preserved at Dār al-Kutub al-Miṣriyyat (485 *Ḥadīth*). Muḥammad 'Awwāmah, a modern editor of *Sunan Abū Dāwūd* explains in lengthy the nature of al-Khaṭīb's copy providing al-Ḥāfiẓ al-'Irāqī's testimony on al-Khaṭīb's partition. See: Brockelmann, *GAL*, Supplementband, 1:564, 'ISH, 122, Muḥammad 'Awwāmah, ed. *Sunan Abū Dāwūd*, 1:33.

<sup>184</sup> See the chapter on biography. For the transmission of *Sunan Abū Dāwūd* by al-Khaṭīb and others, see: James Robson, "The Transmission of Abū Dāwūd's *Sunan*," *Bulletin of the School of Oriental and African Studies* 14:3 (1952): 579-588.

<sup>185</sup> al-Kattāni, *Dhayl*, 206, *TDQ*, 31:72, Ibn Taghrī Bardī, *al-Nujūm al-Zāhirah*, 5:65 (four fasciculi).

<sup>186</sup> His son, the judge Aḥmad Abū'l-Faraj audited *Kitāb al-Faqīh* from al-Khaṭīb at Tyre in Rabī' al-Ākhir, 459/1067.

<sup>187</sup> The extant manuscripts: Istanbul: Millet National Library, Feyzullah Efendi, Ms 555, Kuwait: Kuwait University Library, CD 5649 (A copy of the previous). The cover on the manuscript indicates that the work consists of 10 fasciculi. Ibn Nāṣir al-Dīn stated in the biography of Abū'l-Faraj: 'al-Khaṭīb retraced for him *al-Fawā'id*.' See below.

<sup>188</sup> He was a leading Shāfi'ī jurist who resided in Baghdād. He transmitted from Abū 'Alī ibn Shādhān, al-Ḥusayn al-Mahāmīlī, etc. Ibn Nāṣir al-Dīn al-Dimashqī, *Tawḍīh al-Mushtabih* (Beirut: Mu'assasah al-Risālah, 1993), 7:332.

<sup>189</sup> The extant manuscript of this work: Damascus: Zahiriyyah Library, Col. 117 (21) (*apud* 'ISH, 123).

<sup>190</sup> His father, Abū'l-Faraj, was a Ḥanafī traditionalist who studied under al-Jaṣṣāṣ. See the previous chapter for his nephew. Regarding the family of Ibn al-Muslimah, Rufayl who became a Muslim under the Caliph 'Umar, see: *Siyar*, 18:213-218.

Dhahabī stated: al-Khaṭīb transmitted from him [Abū Ja‘far] and asked him for *imlā’* (specific dictation).<sup>191</sup>

(91-06) *al-Fawā'id al-Muntakhabah, al-Ṣiḥāḥ wa'l-Gharā'ib, li-Abū'l-Qāsim al-Mihrawānī (468/1076).*

This is a retracement for the collection of al-Mihrawānī, a Ṣūfī from the *ribāṭ* of al-Zawzanī and a ḥāfiẓ of ḥadīth.<sup>192</sup>

(92-07) *Muntakhab min Ḥadīth Abū Bakr al-Shīrāzī (487/1094) wa Ghayrihi.*<sup>193</sup>

This is a selection from the collection of the Ṣūfī and the chief *musnid* of Nishapur, al-Shīrāzī,<sup>194</sup> as well as other masters.

(93-08) *al-Fawā'id al-Muntakhabah, al-Ṣiḥāḥ al-'Awālī, li-Ja'far ibn Aḥmad ibn al-Ḥusayn al-Sarrāj al-Qārī' (500/1107).*<sup>195</sup>

This is a selection and retracement for the collection of a *muqri'* and ḥāfiẓ of ḥadīth who was also a belletrist and a linguist.<sup>196</sup>

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<sup>191</sup> TIM, 10: 224.

<sup>192</sup> He resided in Baghdād. He transmitted to the Qāḍī of Māristān and others. Al-Khaṭīb's student, Ibn Khayrūn, had also selectively benefited from his collection. The amount of narration presented in al-Khaṭīb's retracement is 171 narrations. See: *Siyar*, 18:346-347.

<sup>193</sup> The extant manuscript of this work: Damascus: Zahirīyyah Library, (330 ḥadīth), 27-35.

<sup>194</sup> Aḥmad ibn 'Alī Ibn Khalaf al-Shīrāzī was also a belletrist. He was the link between al-Khaṭīb and the writings of al-Ḥākim al-Naysābūrī. He was also the student of Ibn Fūrak and al-Ziyādī, and learned from the students of al-Aṣamm. He received the *ṭarīqah* from Zayn al-Islām Abū'l-Qāsim al-Qushayrī (465/1073). He combined between immersion in *taṣawwuf* and acquisition of *riwāyāt*. See: al-Ṣarīfīnī, *al-Muntakhab*, 116 (242), TIM, 10:573.

<sup>195</sup> The extant manuscript: The first part at Zahirīyyah, Col. 31 (12), according to Bassām al-Jābī (Sheet 397 – 407), the second part at Zahirīyyah, Col. 27 (8), the fourth part at Zahirīyyah, Col. 27 (8), and the fifth part at Zahirīyyah, Col. 27 (8), Col. 98 (3) and Col. 98 (14). According to Bassām al-Jābī, the second, third, fourth and fifth (final) parts are in Zahirīyyah, Col. 31 (353 Ḥadīth) 1- 60. See: 'ISH, 123, al-Jābī, ed. *al-Taṭfīl*, (), 19.

<sup>196</sup> He was a close friend of al-Khaṭīb. See: *al-Muttafiq wa al-Muftariq* 1:614, al-Ziriklī, *al-A'lām* 2:121.

(94-09) *Fawā'id Abū'l-Qāsim al-Nasīb* (508/1115),<sup>197</sup> or *al-Fawā'id al-Muntakhabah, al-Ṣiḥāḥ wa'l-Gharā'ib, intiqā' al-Khaṭīb min Ḥadīth al-Sharīf Abū'l-Qāsim 'Alī ibn Ibrāhīm ibn al-'Abbās ibn Abū'l-Jinn al-Ḥusaynī*.<sup>198</sup>

This is a selection and retracement for the *khaṭīb* of Damascus and the registrar of Prophetic descendants (*Nasīb al-Dawlah*) in Shām.<sup>199</sup>

(95-10) *Majlisān min*<sup>200</sup> *Amālī al-Jawharī* (454/1062), *takhrīj li-riwāyat Muḥammad ibn 'Abd al-Bāqī al-Bazzāz* (535/1141).<sup>201</sup>

This contains the *takhrīj* of al-Khaṭīb concerning the collection from two sittings of *imlā'* session by al-Jawharī,<sup>202</sup> narrated by the judge of Māristān, who was also the *musnid* of 'Irāq.<sup>203</sup> This possibly happened towards the end of al-Khaṭīb's life as al-Bazzāz was born in 442/1051. The whole work comprises of twenty-three narrations touching many subjects including the virtues of the caliphs Abū Bakr, 'Umar and 'Alī.

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<sup>197</sup> al-'Ishsh named it *Fawā'id Abū'l-Qāsim al-Nursī* and differentiated between the two titles. Al-Nursī is unidentified. Al-Dhahabī mentioned in the entry on al-Nasīb that *Fawā'id al-Nasīb* with *intikhāb* by al-Khaṭīb comprises of twenty fasciculi. See: 'ISH, 122, and al-Dhahabī, below.

<sup>198</sup> The extant manuscripts: Section from the eighth (8th) part at Zahirīyyah Library, Col. 4 (46<sup>2</sup>), the thirteenth (13th) part at Zahirīyyah, Col. 140 (139), the fourteenth (14th) part at Zahirīyyah, Col. 40 (178) and undetermined part at Zahirīyyah, Col. 40 (172). The thirteenth (13th) part has been published in a digital form in the software *Jawāmi' al-Kalim*. It was based on the manuscript from Majāmī' al-Madrasah al-'Umariyyah, which was found in the Zahirīyyah Library. Its reference: Col. 3777 'āmm [Majāmī' 40].

<sup>199</sup> He was a descendant of the Caliph 'Alī ibn Abū Ṭālib, a fellow student of al-Khaṭīb and the teacher of Ibn 'Asākir. He was also the person who interceded for al-Khaṭīb during the interrogation in Damascus. Despite his descend from the Prophetic lineage, he was extremely against the Rāfiḍīs. According to al-Sam'ānī in *Dhayl*, he audited a great deal from al-Khaṭīb. One may find his handwriting and audition register on most manuscripts of al-Khaṭīb (*apud* Sibṭ Ibn al-Jawzī). See: Sibṭ Ibn al-Jawzī, *Mir'āt al-Zamān*, 13:358, TDQ, 41:244, Siyar, 19:358-359,

<sup>200</sup> *Amālī al-Jawharī* as in: 'ISH, 122.

<sup>201</sup> The extant manuscript: Damascus: Zahirīyyah Library, Col. 105 (6). 'ISH, 122.

<sup>202</sup> al-Ḥasan ibn 'Alī, Abū Muḥammad al-Jawharī, a leading traditionalist. al-Ziriklī, *al-A'lām*, 2:202.

<sup>203</sup> Qādī Māristān was a Ḥanbalī judge who transmitted from the judges: Abū'l-Ṭayyib al-Ṭabarī, Abū'l-Qāsim al-Tanūkhī, Ibn Salāmah al-Qudā'i and learned under Abū Ya'lā al-Ḥanbalī. He was also a witness in the court of the Ḥanafī Chief Judge al-Dāmaghānī. Ibn 'Asākir criticised him for adopting the *madhhab* of *al-awā'il*. His student, Ibn al-Jawzī, praised him. TIM, 11:639.



## 2.16 The Library of al-Khaṭīb al-Baghdādī

Following his study on al-Khaṭīb's sources, Akram al-'Umarī suggests that al-Khaṭīb's library could be one of the biggest libraries in Baghdād.<sup>204</sup> This section explores the list of books brought by al-Khaṭīb during the migration to Damascus. The understudied list was provided by Muḥammad ibn Aḥmad al-Mālikī al-Andalusī and it contains 476 titles covering various areas and topics. Even a cursory look into the list reveals the vast exposure of al-Khaṭīb to different schools of thought. The author has studied the correct titles and attribution of these books including the extant and published. This section, however, will provide only a summary of areas and important books that al-Khaṭīb were concerned with.

In the field of Qur'anic studies, there are ten titles carrying the word *tafsīr* (exegesis) attributed to ancient personages with the earliest being 'Aṭīyyah ibn Sa'd al-'Ufī (111/729). There are seven titles pertaining to the genre of *al-nāsikh wa'l-mansūkh* (the abrogation) including the one attributed to Abū 'Ubayd (224/839). The earliest was attributed to Qatādah ibn Di'āmah al-Sadūsī (118/737). Three titles are related to *gharīb al-Qur'ān* (peculiar words in the Qur'ān), amongst them *Taḥṣīl Naḏā'ir al-Qur'ān* by the renowned Ṣūfī al-Ḥakīm al-Tirmidhī (ca. 320/932). Two other titles read *mushkil al-Qur'ān* (apparent problem). Al-Khaṭīb also possessed copies of *Ma'ānī al-Qur'ān* by al-Farrā' (207/823) and *Majāz al-Qur'ān* by Abū 'Ubaydah (209/825). Another four titles concern *al-lughāt fī al-Qur'ān* with one of them named *Yāqūtāt al-Ṣirāṭ*, a work by Ghulām Tha'lab (345/957). Five works bear the title *Faḍā'il al-Qur'ān* (the virtues of the Qur'ān) and two works on *al-Wujūh wa'l-Naḏā'ir* (the concordance of Qur'anic polysemy). There are also works concerning certain themes in the Qur'ān namely *al-Jawābāt fī al-Qur'ān*, *al-Istithnā' wa'l-Shurūṭ fī Kitāb Allah* and *'Adad Sujūd al-Qur'ān* (responses, rules and exceptions and numbers of prostration in the Qur'ān).

Furthermore, another five works address the subject of *maṣāḥif* (Qur'anic copies), one of them reading: *al-Radd 'alā Man Khālafa Muṣḥaf al-Imām 'Uthmān*.<sup>205</sup> In

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<sup>204</sup> *Mawārid*, 51.

<sup>205</sup> It was authored by Abū Bakr Ibn al-Anbārī.

terms of the method of Reading (*qirāʾa*), there are three works related to the subject of *al-waqf wa al-ibtidāʾ* and thirteen titles on the collections of *qirāʾāt* (Reading Variants).

In the field of theology, al-Khaṭīb seems to be interested in the works penned for refutation. Two of them are on refutation against Abū Ḥanīfah, one on a refutation against the rationalists, and a few refutations are against Jahmism, Qadarism, and the doctrine of the created Qurʾān.<sup>206</sup> He also owns an epistle of ʿUmar ibn ʿAbd al-ʿAzīz on refuting Qadarism, two works on the subject of *ʾimān* (the confession of faith), Abū Sulaymān al-Khaṭṭābī's work against *kalām* and two works on the indicators of the Prophethood (*dalāʾil al-nubuwwah*).

The works on *ḥadīth* studies populate the major part of the list reflecting al-Khaṭīb's main scholarship concerns. In the genre of *al-arbaʿūn* (forty *ḥadīths*), he owns three titles including the work of Muḥammad ibn Aslam al-Kindī (242/856), one of those deemed as an *abdāl* (saints). He also owns two versions of *Jāmiʿ* attributed to Sufyān al-Thawrī (161/778) and both *Amālī* and *Jāmiʿ* of ʿAbd al-Razzāq al-Ṣanʿānī (211/827). In the genre of *musnad* or collections of certain *muḥaddith*, al-Khaṭīb has nineteen books of early traditionalists who compiled the narrations of Abū Ḥanīfah, Mālik ibn Anas, Sufyān al-Thawrī, and the likes. Specifically pertaining to Mālik's *Muwattaʾ*, al-Khaṭīb possesses seven versions of it. He also owns three works on *ṣaḥīḥ*'s collection belonging respectively to the renowned al-Bukhārī, al-Khaṭīb's master al-Barqānī, and Abū Bakr Ibn Manjuviyē (428/1037). Whereas in the genre of legal traditions, al-Khaṭīb has five books bearing the title *Sunan*, with the earliest belonging to Abū Qurrah Mūsā ibn Ṭāriq (203/819), the judge of Zabīd, Yemen.<sup>207</sup> Moreover, thirty-one collections of *ḥadīth* were presented ranging over various topics such as matters of belief, purification, funeral, obligatory alms giving, inheritance, invocations, etc.

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<sup>206</sup> Van Ess, *TUG*, II:493-508 (Ğahm b. Şafwān, Ğahmīya und Ibn Ḥanbal's *Radd ʿalā l-Ğahmīya*), I:72-135 (Die Qadarīya), *Zwischen Ḥadīth Und Theologie: Studien Zum Entstehen Prädestinationischer Überlieferung* (Berlin: New York: De Gruyter, 1975).

<sup>207</sup> He wrote a book on *fiqh* combining the opinions from works in Mālikī *madhhab*, Abū Ḥanīfah and Ibn Jurayj. See: al-Ziriklī, *al-Aʿlām*, 7:323.

On a theoretical level, al-Khaṭīb had collected several treatises on topics in ḥadīth investigation principles such as the epistle of Abū Bakr al-Bardījī (301/914) on *Uṣūl al-Ḥadīth*, Ibn Qutaybah's (276/890) treatise titled *Mushkil al-Ḥadīth*, and Abū Bakr al-Ismā'īlī's work, *al-Madkhal ilā al-Ṣaḥīḥ*.<sup>208</sup> He also possessed two works on *gharīb al-ḥadīth* (peculiar words in ḥadīth texts) and two others on *taṣḥīf* (misreading). The collections on peculiarity are not limited to the texts, but also extended to traditions narrated in single strand back to notable tradent known as "gharā'ib ḥadīth of so-and- so". In this regard, he owns five books with three of them concern the *gharā'ib* of Mālik ibn Anas.

Al-Khaṭīb's desire for proficiency in ḥadīth criticism is evident in the collections of books in *'ilal al-ḥadīth* (hidden flaws in ḥadīth) amounting to five titles and the same number for treatises in *su'ālāt* (master-disciple dialogues) concerning transmissions. He also treasured six works in the genre of *awhām* (errors) such as the criticism of al-Bukhārī and Muslim (261/875) by al-Dāraqūṭnī and *al-Awhām* by 'Abd al-Ghaniyy al-Azdī.<sup>209</sup>

The works in the study of narrators are also voluminous. There are sixteen books pertaining to the genre of *ṭabaqāt* including five versions of *Tārīkh* of Yaḥyā Ibn Ma'īn (233/848) and the *Tārīkh* of al-Bukhārī. Five works are listed on *du'afā'* (impugned narrators) and another five belong to various subjects in the classification of narrators. Al-Khaṭīb had also shown his profound interest in the history of transmissions by collecting six books in the genre of *ma'ājim wa mashīkhāt* (registers of personal informants and masters). Furthermore, he also possessed five works pertinent to the study of primary and cultural designation of narrators.<sup>210</sup>

Apart from the study of al-Khaṭīb's historical sources in *Tārīkh* by Akram al-'Umarī, the list of al-Mālikī also provided us with al-Khaṭīb's collection of books in the field of general history. Al-Khaṭīb owns six titles in the subject of *ansāb* (genealogies) and twenty-eight titles in the early history of Islam with eight bearing

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<sup>208</sup> It is possibly an introduction of his *al-Mustakhraj 'alā al-Ṣaḥīḥ*. See Chapter One.

<sup>209</sup> Brown, *Criticism of the Proto-Hadith Canon ...* (cited earlier), and the previous chapter.

<sup>210</sup> See Chapter Six.

the word *maghāzī* (campaigns) and fourteen pertaining to chronicles of the Companions collectively or individually. He also preserved four works on the history of ancient nations, nine works on historical events, seven works on history of cities and twenty-eight works on history of prominent figures. Four works in the list are related to *manāqib* and *faḍā'il* (virtues of luminaries) and around ten works concern the accounts on classes, groups and sects.

Al-Khaṭīb's view on the crucial place of ethics, moral conduct, piety and *taṣawwuf* is well supported by the fact that he brought with him to Damascus around seventy-three titles regarding this area of interest. Amongst them, five are related to ethics in general, eight on the description of *zuhd* (piety), *wilāyah* (sainthood) and *taṣawwuf*, a dozen on accounts of early *zuhhād* (ascetics) and eleven on various acts of noble characters. Al-Khaṭīb's preference of narrations in this area being supported with *isnād* could be attested from his collection of the works of al-Ḥāfiẓ Ibn Abī al-Dunyā (281/894). He owns thirty-seven of his works out of approximately seventy known titles.<sup>211</sup> These include those considered lost today such as *al-Tafakkur wa al-I'tibār*, *al-Taqwā*, *al-Ḥadhar wa'l-Shafaqah*, *al-Khā'ifīn*, *al-Du'ā'*, *al-Dhikr*, and *al-'Afw wa-Dhamm al-Ghaḍab*.

In the subject of Arabic syntaxes and morphology, al-Khaṭīb collected around ten books authored or attributed to prominent figures such the Kūfan al-Farrā', Ibn Qutaybah al-Dīnawarī, Abū'l-'Abbās Tha'lab al-Kūfī (291/904), Abū Ishāq al-Zajjāj (311/924) (the follower of Baṣran school), Abū Bakr Ibn al-Anbārī (the opponent of Ibn Qutaybah), and the Ḥanbalī Ibn al-Munādī. Another ten books in his possession relate accounts of Arabian poets and belletrists, most of them penned by Muḥammad ibn Khalaf Ibn al-Marzubān (309/922). There are also some works bearing the title *khutbah* with two attributed to Ibn al-Anbārī and the rest is possibly al-Khaṭīb's own notes. Three titles in the list discuss the art and skill of composition and writing, while nineteen titles touch various subjects such as horses, weather, monasteries, the creation of human, celestial bodies, rings, etc. Amongst these works is the book of the prince al-Ḥasan, grandson of the caliph al-Muqtadir bi'l-

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<sup>211</sup> He penned a total of 219 works according to *Mu'jam Muṣannafāt Ibn Abī al-Dunyā*. See: Fāḍil al-Raqqī, *Ibn Abī al-Dunyā Muḥaddithan wa-Muṣliḥan*, (Riyadh: Dār Aṭlas al-Khaḍrā', 2012), 72.

Lah, titled *al-Tawqīf ‘alā Faṣl al-Kharīf*.<sup>212</sup> There are also nine titles on Arabic poetry either a single poem or collectively in a *dīwān*.

Just like al-Khaṭīb’s own interest in jocular stories, he also possessed three titles in the genre of *nawādir* and two works on the specific stories of *al-thuqalā’* (the sluggish). The *thuqalā’* works were composed by Abū Muzāḥim al-Khāqānī (325/937) and Abū Nu‘aym al-Iṣfahānī.

Furthermore, there are four works concerning the interpretation of dreams attributed to Muḥammad Ibn Sīrīn (110/729), Iṣḥāq ibn Ibrāhīm Ibn Sinīn (283/896), Ibn Qutaybah, and Abū Bakr al-Firyābī (301/914).

There are also thirteen titles that generally belong to the subject of *fitan wa-malāḥim* (trials and fierce battles) with most of them written by Abū’l-Ḥasan al-Madā’inī (225/840).

Finally, al-Khaṭīb’s collection of works pertaining to *fiqh* as legal studies reflects his exposure to different *madhāhib*, yet, with skewed interest towards celebrated authorities that combine *ḥadīth* and *fiqh*. At the top of the list are the works of al-Shāfi‘ī, namely *al-Risālah*, *Jimā‘ al-‘Ilm*, *al-Radd ‘alā al-Barāhimah*, *al-Radd ‘alā Muḥammad ibn al-Ḥasan*, *Ikhtilāf al-Ḥadīth* and the *Musnad* of al-Shāfi‘ī (possibly a collection by later students). Next are the *Mukhtaṣar* of Ibn ‘Abd al-Ḥakam (268/882), who wrote a refutation against al-Shāfi‘ī, and the *Masā’il* of Aḥmad ibn Ḥanbal, which were collected by Abū Bakr al-Marrūdhī (278/888). Another leading jurist whose works were collected by al-Khaṭīb was Ibrāhīm ibn Iṣḥāq al-Ḥarbī al-Baghdādī (285/898), a student of Ibn Ḥanbal who applauded al-Shāfi‘ī as a teacher of the latter.<sup>213</sup> Al-Khaṭīb also collected the works of the Baṣran Shāfi‘ī jurist al-Zubayrī.<sup>214</sup>

Apart from the works of notable luminaries, al-Khaṭīb’s topical collections of legal works reflect a breadth of interest in the stances of various *Sunnī madhāhib*. On the subject of pilgrimage, al-Khaṭīb owns the work of the previous al-Ḥarbī and the

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<sup>212</sup> This title is similar to the title of al-Khaṭīb’s work on the same subject.

<sup>213</sup> He has a long entry in: *TMS*, 6:522.

<sup>214</sup> See Chapter One.

Shāfi'ī Abū Bakr al-Naqqāsh (351/962). While on the subject of *zawāl* (the perfect position of the sun) and *mawāqīt* (time points), al-Khaṭīb owns the works of Kūfan, Baṣran and Ḥanbalī authors.<sup>215</sup> Moreover, al-Khaṭīb also cherished an ancient collection titled *Ra'y al-Fuqahā' al-Sab'ah* (the Opinion of the Seven Scholars of Madīnah) attributed allegedly to 'Abd Allāh ibn Dhakwān.

## Conclusion

This in-depth study has provided, up to the present, the most comprehensive and structured survey of al-Khaṭīb's written legacies. The total number of works that can be attributed to him reaches eighty-five in number excluding several works on retracement he provided for the *ḥadīth* collections of notable figures. With the inclusion of these types of works and the possibility of other titles that may have been lost, al-Khaṭīb could have penned more than a hundred works. The majority of the treatises were meant to solve disputations and provide stances with strong bases. The most striking characteristic in his writings is the concern for providing examples and concrete accounts for any concept, discussed phenomenon or theoretical postulate coupled with the keen attention to organisation, division, classification. Compared to thirty *ḥuffāz* of his time listed by al-Dhahabī in *Tadhkirat al-Ḥuffāz*, none has composed in al-Khaṭīb's style and found wide recognition in later works on *ḥadīth* studies. Some of his works were the only written or extant treatise in its subject. Although his legal treatises mostly supported the views of the Shāfi'īs, they were not following the style of the jurists. Furthermore, his *takhrījāt* in the legal topics can be characterised as a new form of *takhrījāt* following the decline of the legal *takhrījāt* amongst the Shāfi'ī jurists. Al-Khaṭīb had not only written against the Ḥanafīs, but also the Zāhirīs and the Ḥanbalīs, although he held a deep respect to all masters and critics of *ḥadīth*

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<sup>215</sup> al-Khaṭīb mentioned the name Abū Ja'far al-Rāsibī in *al-Qawl fī 'Ilm al-Nujūm*. Al-Nawawī stated in *al-Majmū'* that al-Qāḍī Abū'l-Ṭayyib al-Ṭabarī, quoted from his work entitled *al-Mawāqīt*. In a manuscript titled *Shuyūkh Lāḥiq ibn Muḥammad ibn Aḥmad al-Iskāf* (Mss. Software Jawāmi' al-Kalim, published by Islamweb.net), there is a mention of a narrator whose name is Ahmad ibn Muhammad al-Harawī, Abu Ja'far al-Rāsibī and who narrated in the year 315 AH/927 CE. See *ḥadīth* number (10). Modern editors consider him an unknown person. We now know that some of his works concern the subject of time points and the declination of sun.

especially Ibn Ḥanbal. Undoubtedly, if all his *isnāds* were to be compiled, al-Khaṭīb could possibly have collected more than a hundred thousand of lines. A section of his library proves his passion for knowledge in general even though his scholarship was more related to *ḥadīth* and religious knowledge. The next chapter will provide an analysis of al-Khaṭīb's idea of knowledge.

# **Chapter Three:**

## **Knowledge and Epistemology**



## Overture

This chapter examines the theory of knowledge that underpins the writings of al-Khaṭīb al-Baghdādī and traces the background behind its construction based on his scattered statements on *uṣūl* (principles) in *ḥadīth* and *fiqh* studies. It argues that it could be misleading to read his *uṣūl* works solely through the lenses of an *uṣūlī* without taking into consideration his personal vision and experience of *ḥadīth* scholarship. In fact, it is crucial to observe different approaches to theological subjects before him in order to uncover the conscious selection of terms, ideas and discussions, which had been infused with his writings and expositions of traditional epistemology, particularly his ideas on traditional proofs.

### 3.1 The Aim and Status of Knowledge

Al-Khaṭīb professed that seeking knowledge reflects the movement of self nearer and nearer to the Truth that ultimately forms a relationship of contentment with God.<sup>1</sup> The similitude of seeking knowledge is comparable to approaching a palace and entering it to adore its interior or hiking up a mountain to obtain a better view. Each individual has a relatively advanced view that corresponds to his position or nearness to a centre.<sup>2</sup> This idea of knowledge highly suggests relativity. Habib Malik observed that al-Khaṭīb precedes later *Sunnī* renowned epistemologist Abū Ḥāmid al-Ghazālī (505/1111) in his intellectual exposition of the relation between knowledge, effort, the highest *rutbah* (rank), and happiness in both worlds (here and the hereafter).<sup>3</sup> Al-Ghazālī, however, expanded the discourse to suffuse within it his mystical theory of perpetual love of God, yet, still maintained the

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<sup>1</sup> *Iqtidāʾ*, 31.

<sup>2</sup> *FWM*, 2:8-9.

<sup>3</sup> Habib Mālik, *Educational Theory*, 44, 48, al-Ghazālī, *Iḥyāʾ ʿUlūm al-Dīn* (Jeddah: Dār al-Minhāj, 2011), 1:48.

different degrees between men in knowledge, which entails the same in his theory of love.<sup>4</sup>

While al-Khaṭīb speaks of *riḍā* (contentment), al-Ghazālī speaks of love. Both cited tradition, particularly the famous Mu'ādh speech, however, with Abū Hurayrah as the transmitter from the Prophet in al-Khaṭīb's version. It reads:

'Learn knowledge, for learning is a virtuous act, studying constitutes the glorification of God, searching for it is a *jihād* (praiseworthy struggle), teaching it to those who do not know is a charity and delivering it to those worthy of it is an act of drawing closer to God. Knowledge is a light on the path for the people of Heaven, a companion during loneliness, a friend during estrangement, a guide in darkness, a converser during seclusion, and a weapon to use against the contenders. God elevates certain people through knowledge to high ranks, and He makes them the greatest of guides to metaphysical goodness, and leaders towards His guidance whom people can emulate. Their workmanship would be witnessed, angels desire to befriend them, and they hold them dearly with their wings. Everything wet or dry invokes God to forgive them, even the fish in the sea, the insects on the land, the wild beasts in the desert and the stars in the sky. Verily, knowledge is the life of hearts against ignorance and the lamp of the eyes against darkness. By virtue of knowledge, a servant obeys God, worships Him, praises Him, and ties of kinship are kept, and the lawful and the unlawful also become distinguished. It is the leader of the mind, and action follows its lead. God inspires it to the happy souls and deprives it from the wretched. There is no goodness in an act of worship deprived of comprehension, and no goodness in a recitation without pure intention and thorough contemplation. A little of comprehension is better than a lot of service. One second in the sitting of comprehension is better than a year of service.'<sup>5</sup>

Both al-Khaṭīb and al-Ghazālī, nevertheless, agreed that effort and obedience is the path to salvation in the hereafter. However, al-Khaṭīb's intellectual audience seems to have questioned the status of mere obedience in comparison to intellectual or philosophical endeavours. Ironically, a number of traditionalists had also

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<sup>4</sup> According to al-Ghazālī, love depends on knowledge. Consequently, the best lover is the best knower of God and the world. Binyamin Abrahamov, *Divine Love in Islamic Mysticism: The Teachings of al-Ghazali and al-Dabbagh* (Routledge: 2003), 85.

<sup>5</sup> It is a statement attributed widely to the Companion Mu'ādh ibn Jabal and sometimes to the Prophet. Al-Khaṭīb was the only *muḥaddith* who documented it as *marfū'* (said by the Prophet) on the authority of Abū Hurayrah. See: FWM, 1: 100, Ibn 'Arrāq, *Tanzīh al-Sharī'ah* (Lebanon: Dār al-Kutub al-'Ilmiyyah), 1:281.

reported a *dictum* that indicates certain occasion where having knowledge is better than offering services (*al-‘ilm fīhi khayrun min al-‘amal*).<sup>6</sup> Al-Khaṭīb addresses this issue uttering:

‘Do not feel satisfied with actions so long as you are lacking in knowledge. Nor feel satisfied with knowledge so long as you fall short of breeding actions. Rather, combine them both, even if your share of the two is small ... A little of this alongside a little of that is what is most likely to save you in the end, when God bestows His mercy upon His servant and completes His favour upon him.’<sup>7</sup>

This statement reflects his middle position on the debate between authenticity (*ṣawāb*) and sincerity (*ikhlāṣ*). As knowledge is not the aim in itself, al-Khaṭīb cautioned the philosophers and theologians who pursued authenticity and mocked the public’s sincere worship. He quoted Jesus’s warning against ‘*ulamā’ al-sū’*’ (corrupted intellectuals) and their misguiding of people from *al-falāḥ* (great happiness) in the hereafter.<sup>8</sup>

### 3.2 The Problem of Defining Knowledge

A reader of al-Khaṭīb’s works would find it perplexing to understand the idea of knowledge he pursued. On the one hand, al-Khaṭīb, being a scholar of traditions seems to allocate all his attention to the compilation, retracement, analysis and verification of *ḥadīth*. He simultaneously speaks about seeking knowledge as if the only knowledge that matters is the knowledge of *ḥadīth*. He even argues against his contenders in various issues based on the impressions of *ḥadīth*.<sup>9</sup> On the other hand, he seems to echo former theologians and *Sunnī* legal theorists who adopted that individual reports or recounts, *inter alia*, *ḥadīth*, do not yield knowledge. Moreover, he prepared a section in his book on *ḥadīth* principles to refute those who hold that

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<sup>6</sup> Ibn Abī ‘Āsim, *al-Āḥād wa’l-Mathānī* (Riyadh: Dār al-Rāyah, 1991), 2:144(864) and Ibn ‘Abd al-Barr, *Jāmi’ Bayān al-‘Ilm* (Saudi Arabia: Dār Ibn al-Jawzī, 1994), 1:114(103). Also: *Muwaḍḍiḥ*, 1:108.

<sup>7</sup> *Iqtidā’*, 14-15.

<sup>8</sup> *Ibid*, 67.

<sup>9</sup> See his works on disputed *aḥkām* in previous chapter.

individual reports yield knowledge, a position that apparently goes against the whole scholarship of the traditionalists and the book itself.<sup>10</sup>

In an article on the “truth” of *ḥadīth*, Jonathan Brown addresses a similar question. He notices the equation of knowledge with Aristotelian certainty and the influence of philosophical certainty on many modern treatments of this subject.<sup>11</sup> Brown observed that Wael Hallaq and classical Muslim legal theorists had established that even if *ḥadīth* were verified as *ṣaḥīḥ* (sound), they were only epistemologically probable (*ẓann*).<sup>12</sup> According to Brown, the ambiguous certain/probable dichotomy in Hallaq’s exposition could mislead readers into thinking that the probable state of *ḥadīth* signifies effective doubt concerning its reliability. Brown further suggests the notion of “approximate certainty”, which informs and converges with the epistemological scale and gradation of the formative Partisans of *Ḥadīth*, instead of binary certainty.<sup>13</sup> We may assume that based on Brown’s analysis, knowledge in the mind of *ḥadīth* scholars signify effective truth acquired from the attainment of approximate certainty.

While Brown’s analysis assists in appreciating the scholarship of the traditionists, Hallaq’s conclusion reaffirmed al-Khaṭīb’s assertion. The appearance of the term *ẓann* (conventionally translated as probable) associated with individual reports in the latter’s writing and other legal theorists exposes a *ḥadīth* practitioner to a possibility of contradicting the Qur’anic injunction; abiding with knowledge and

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<sup>10</sup> *Dhikr shubhah man za’ama anna khabar al-wāḥid yūjib al-‘ilm wa ibṭālulhā al-Kifāyah*, 1:123.

<sup>11</sup> The Certainty of Aristotle is knowledge that could not be otherwise. Certainty in daily discourse is the common-sense certainty of Thomas Reid and the commanding probability of Hume, not the epistemological certainty of Descartes. See: Jonathan Brown, “Did the Prophet Say It or Not?: The Literal, Historical and Effective Truth of Hadiths in Sunni Islam.” *Journal of the American Oriental Society* 129.2 (2009): 259-285.

<sup>12</sup> Wael Hallaq, “The Authenticity of Prophetic Ḥadīth: A Pseudo-problem,” *Studia Islamica* 99 (1999): 75-90.

<sup>13</sup> Brown employs Lincoln’s speech at the Gettysburg Address of 1863 to show that as an object of historical truth, our generation may only be “certain” of the “gist” of Lincoln’s message. Brown conflates here *aḥād* reports with *tawātur ma’nawī* that will be presented in a future chapter.

staying away from *ẓann* (conjecture).<sup>14</sup> Brown attempted to explain the linguistic twist to the meaning of *ẓann* applied by the traditionalists. Hallaq and Brown both noticed the solution by way of Consensus where *Sunnī* scholars introduced and endorsed the concept of “sufficient *ẓann*” for *ḥadīth* application in certain areas.<sup>15</sup> This is intuitively, as Brown submits, not sufficient to explain relentless debates amongst the scholars that have been based on *ḥadīth* especially in theological issues, let alone the psychological effect of *ḥadīth* upon the masses. Furthermore, al-Khaṭīb had succinctly emphasised:

‘Individually reported statements (*āḥād*) cannot be accepted in matters of religion which necessitate apodictic knowledge and an absolute answer (final settlement). The reason for this is if one does not know incontrovertibly that the report represents the words of the Messenger, one is even less informed about the idea it bears.’<sup>16</sup>

In response to this statement, Brown mentioned that few spokesmen for the institutionalised Sunnism of the fifth/eleventh century had already absorbed the epistemological framework of Muslim rationalists. In the case of al-Khaṭīb, something similar has been said about him by the Ḥashawīs. It is crucial, therefore, to find a coherent explanation to al-Khaṭīb’s idea of knowledge and analyse the way it coalesces with his personal scholarship and his vision of traditional *Sunnī* epistemology.

### 3.3 The Nexus between Religious and Philosophical Knowledge

In the *Venture of Islam*, Hodgson outlined elaborately the encounter of Abrahamic monotheistic traditions with Irano-Semitic culture traditions. The latter vindicates the rational orders of the universe as the source of knowledge, ever since

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<sup>14</sup> See: Kassim Ahmad, *Ḥadīth: A Re-Evaluation*, trans. Syed Akbar ‘Alī (Universal Unity, 1997), 45. Kassim argues that many religious books written by men are merely guesswork and conjecture. See the early origin of this idea attributed to the Ṣāḥirī al-Qāsānī in: Aaron Zysow, *The Economy of Certainty* (Georgia: Lockwood Press, 2013), 30-31.

<sup>15</sup> See unit-tradition in: Zysow, *Economy*, 22-33.

<sup>16</sup> *al-Kifāyah*, 2: 258. Brown’s translation of ‘*abwāb al-dīn al-ma’khūdh ‘alā al-mukallafīn*’ as theology does not suit the whole framework of al-Khaṭīb’s scholarship. Al-Khaṭīb had few works on theological subjects based on *ḥadīth*. A further explanation will be given afterwards.

the Cuneiform time, instead of moral judgements of history venerated by the former. The independence of the two dialogues has also been reflected in their linguistic differences.<sup>17</sup> The Hellenisation of rationalistic traditions, however, opened the doors for the encounter between Muslim and Greek traditions inherited within the Sasanian and Roman provinces at the time of Arab conquest. In the midst of these staggering cultural exchanges, especially later on in Baghdād, Muʿtazilī thinkers emerged as the proponents of rational tradition. They initiated apologetic discourse to prove that nothing in the Qurʾān is repugnant to systematic reasoning, and subsequently embarked on the endeavour to discover the theory of everything based on highly complicated speculations.<sup>18</sup> In a study on the renaissance of Islam, Adam Mez remarked that the Muʿtazilah drew everything into the meshes of their speculations and craved for all knowledge.<sup>19</sup>

Certainly, the most challenging issue with regard to understanding the essence of knowledge within the Abrahamic-Hellenic plane is the understanding of the knowledge of God and its relation to human knowledge. The answer given by the first comprehensive integrative approach to religion and cosmology proposed by Abū al-Hudhayl al-ʿAllāf (235/805) acquired great rejection from the scholars of the *Sharīʿah* (religious jurisdiction, lit. water tract).<sup>20</sup> As a scholar of *Sharīʿah*, al-Khaṭīb preserved the conflict between the two trains of thought concluding that al-ʿAllāf has turned God into knowledge and power by abstracting God of attributes, and explaining His knowledge and power as His essence.<sup>21</sup> The Muʿtazilīs were

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<sup>17</sup> Marshall Hodgson, *The Venture of Islam*, (Chicago: University of Chicago Press, 1974), 1:410, Also: Majid Fakhry, *Philosophy, Dogma and the Impact of Greek Thought in Islam* (Aldershot: Ashgate Variorum, 1994).

<sup>18</sup> On the hegemony of the Muʿtazilah, see: Mustafa Shah, “*Kalām*: Rational Expressions of Medieval Theological Thought,” in Houari Touati (ed.), *Encyclopaedia of Mediterranean Humanism*, Spring 2014, <http://www.encyclopedie-humanisme.com/Islamic-Kalām>

<sup>19</sup> Mez, *The Renaissance*, 264.

<sup>20</sup> On early discourse that relates to the problem of attribute, see: Richard Frank, “Attribute, Attribution and Being: Three Islamic Views,” in *Texts and Studies on the Development and History of Kalām*, ed. Dimitri Gutas, vol. III: Classical Islamic Theology: The Ashʿarites (Aldershot: Ashgate Variorum, 2008), V:258-278.

<sup>21</sup> Al-Khaṭīb stated: ‘He uttered blasphemous statements and deviated from the *ijmāʿ* of the Muslim Community.’ *TMS*, 4:582.

relatively pursuing the unity of God and they refused to subscribe to eternal composition of Divine attributes, which denotes multiplicity. In their scheme of thought, integration of religious knowledge and philosophical knowledge is of high importance as insisted by al-Jāhiz.<sup>22</sup>

Philosophy, the peak of cosmology and rational discourse, however, is concerned with universality, the permanently valid truth. Therefore, it conceptualises knowledge as a matter of timeless concepts, essences and natural laws.<sup>23</sup> The cosmos is replete with differing changes and conflicts, which are the subjects of particularities and not of the realm of the universals. The history of Islam had witnessed civil wars amongst the early generations and conflicting reports were transmitted concerning the events of the past. Naturally, there exist scepticism on the philosophical side towards the conflicting reports transmitted individually by unbounded mass of the great Muslim community. While this is intellectually challenging, ultimately it threatens the concept of religion itself for religion is outside individual experience. Islam particularly, can only be known through reports from past recipients. Hence, there arises the question of the authenticity of past reports and religious knowledge.<sup>24</sup>

### 3.4 Existence and the Formation of *Ḍarūrī* Knowledge

Insufficient philosophical study has been made on realisation (*wajd*) or availability (*mawjūd*) in the formative period of Islam because most of the potential resources do not exist.<sup>25</sup> Despite the application of the concept in mystical, theological and psychological treatises and discourse, it has rarely been pointed out

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<sup>22</sup> 'One is not a master of the *kalām* universe until what he has mastered with regard to the religious discourse is equal to what he mastered concerning philosophical discourse.' al-Jāhiz, *Kitāb al-Ḥayawān* (Cairo: al-Bābī al-Ḥalabī, 1965), 2:134. See also: Richard Frank, "Remarks on the Early Development of the *Kalām*," in *Texts and Studies*, vol. I: Philosophy, Theology and Mysticism in Medieval Islam, (Aldershot: Ashgate Variorum, 2005), VI:315-329.

<sup>23</sup> Hodgson, *Venture*, 1:440. Cf. Ibn Taymiyyah's refutation against theologians on the subject of changes and *ḥarakāt*: *Dar' Ta'arūḍ*, 1:320.

<sup>24</sup> Bernard Weiss, "Knowledge of the Past: The Theory of "Tawātur" According to Ghazālī," *Studia Islamica* 61 (1985): 81-105.

<sup>25</sup> It is to be distinguished from studies on the existence of God.

that the semantic compass of the root *w-j-d* may establish a relation between *wujūd* as in physical existence and *wajada* as in internal rational or psychological realisation.<sup>26</sup> It illustrates the function of Arabic linguistic sophistication to intellectually construct the concept of knowledge from the realisation<sup>27</sup> of the sensory experience.<sup>28</sup> This is also helpful in explaining the resemblance between the exposition of the concept of human knowledge by Muslim theologians and ideas germane to sensory knowledge. Simon Van Den Bergh suggested that Muslim theologians initially followed the Greek empiricists who take the existence of a country or town as true knowledge when it was obtained through sensory experience, namely the eyewitness (*αυτόπτης*). Muslims, however, expanded the concept in their bifurcation of historical knowledge.<sup>29</sup>

The sensory experience of an existence by itself and an occurrence of knowledge by itself<sup>30</sup> are both without any conscious individual human intervention. This informs the concept of *ḍarūrī*, which is the term for forcefully imparted, immediate or necessary knowledge. Studying this notion as expounded by a number of theologians, Abrahamov concluded that *ḍarūrī* knowledge could be defined by five criteria: (a) occurrence without one's power (b) necessity (c) production by God (d) absence of doubt and (e) absence of speculation.<sup>31</sup>

Al-Khaṭīb had cited the Ash'arī al-Bāqillānī (402/1012) on the subject of *ḍarūrī* knowledge. When al-Bāqillānī was asked about it, he explained the relation

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<sup>26</sup> Realisation here and afterwards is used in the sense of Old French *reel*, which signifies actually existing, and real.

<sup>27</sup> The verbal noun is crucial to illustrate al-Ash'arī's assertion that knowledge is gained through the realisation, not the realities.

<sup>28</sup> The German philosopher J. G. Herder was one of the pioneers who maintain that thought is essentially dependent on language. A nation's perception of the universe and its way of articulating its thought is highly influenced by its language system, vocabulary, semantic, syntax and structure. See: Michael Forster, *After Herder: Philosophy of Language in the German Tradition* (Oxford: Oxford Univ. Press, 2010), 16 and 50.

<sup>29</sup> Such as Alexandria, Crete, Sicily, and Sardinia in Galen's writings. See: Simon Van Den Bergh, *Averroes Tahāfut al-Tahāfut* (London: Gibb Memorial, 1969), 2:16.

<sup>30</sup> Both can be represented by the term *wujūd*.

<sup>31</sup> Binyamin Abrahamov, "Necessary Knowledge in Islamic Theology," *British Journal of Middle Eastern Studies* 20:1(1993): 20-32.



between realisation (*wajada*) and *ḍarūrī* knowledge. When asked about the sign of *ḍarūrah*, he pointed out:

‘We realised (*wajada*) that the knowledge they told us [i.e. of *ḍarūrī*] is at the same level as knowledge we perceived (*adraka*) through our senses, and at the same level with what we realised (*wajada*) in ourselves with the absence of doubt, and that the same knowledge is shared by women, the public and uneducated persons who do not exercise speculation (*naẓar*). This proves that this particular knowledge is one which is forcefully imparted (*ḍarūrī*).’<sup>32</sup>

Furthermore, al-Bāqillānī’s student, ‘Abd al-Qāhir divides *ḍarūrī* knowledge into two kinds: (i) self-evident (ἀξίωμα) or *a priori* knowledge (‘ilm *badīhī*), and (ii) sense perception (‘ilm *ḥissī*). Regarding the positive axiomatic knowledge, he mentioned the knowledge of *wujūd* (the real existence) of oneself and what a person realises (*wajada*) of pain, pleasure, hunger, etc.<sup>33</sup> When speaking of sense perception, he stressed that *kull mawjūd* (all existing things) can potentially be perceived.<sup>34</sup>

Additionally, the notion of “our realisation through sensory experience” has played an important role in many areas of Muslim intellectual discourse. Prior to the exposition made by al-Baqillānī, Abū al-Ḥasan al-Ash‘arī applied this notion as the proof for theological truth in the putative *al-Ibānah*, having forwarded it assertively as *ḍarūrī* knowledge. When argued by the Mu‘tazilah that God cannot sit on the Throne since His existence in a specific place would imply *tashbīh* (equating God with spatial-bound creation),<sup>35</sup> al-Ash‘arī replied: ‘we saw (*ra’aynā*) [essentially sensed] all Muslims raised their hands towards heaven when they pray to God. If He were not on the Throne, they would not raise their hands towards it.’<sup>36</sup> This answer represents at least the thinking of fellows of *ḥadīth*.<sup>37</sup> According to Abrahamov, this

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<sup>32</sup> al-Bāqillānī, *Tamhīd al-Awā’il wa Talkhīṣ al-Dalā’il* (Beirut: Maktabah Sharqiyyah, 1957), 383.

<sup>33</sup> He also mentioned negative axiomatic knowledge. However, we are concerned in this chapter with the use of *wujūd*.

<sup>34</sup> ‘Abd al-Qāhir al-Baghdādī, *Uṣūl al-Dīn* (Istanbul: Maṭba‘at al-Dawlah, 1928), 8-9.

<sup>35</sup> On the concept of *tashbīh*, see: Zulfiqar Ali Shah, *Anthropomorphic Depictions of God* (Herndon: IIIT, 2012), 545.

<sup>36</sup> al-Ash‘arī, *al-Ibānah ‘an Uṣūl al-Diyānah* (Cairo: Dār al-Anṣār, 1977), 2:107

<sup>37</sup> Al-Ash‘arī was formerly a Mu‘tazilī but later identified himself with fellows of *ḥadīth*.

answer was rather simplistic, but was later usefully explained and associated by al-Rāzī with the proof of *fiṭrah* (natural disposition) in man.<sup>38</sup> We may notice how the existence of certain practice amongst the masses was transformed by these theologians into the proof of *fiṭrah*, which implies necessary truth and knowledge, for one cannot repudiate it from oneself. This relationship between existence and necessary truth is crucial to understand al-Khaṭīb's forthcoming statements.

### 3.5 *Ḍarūrī*, Human Power and the Epistemology of *I'jāz* (Disempowering)

The Ash'arīs were chiefly concerned with the relation of God's power to human's powerful actions. This concern is strikingly woven into their conceptions of human knowledge, an approach that is also apparent in al-Khaṭīb's work. When defining *Ḍarūrī* knowledge, al-Bāqillānī stated that it was forcefully imparted in man that he has no *imkān* (ability) to disown or have suspicion about its object.<sup>39</sup> 'Abd al-Qāhir gave *qudrah* (power) as the measure for *Ḍarūrī* knowledge since this knowledge is realised independent of the power of man.<sup>40</sup> It is at this point that the Ash'arī position is distinguished from that of the Mu'tazilah. The Ash'arīs attempted to maintain both God's omnipotence and God's justice. They were not content with the Mu'tazilī integrative solution that to logically understand Divine justice, man must be made fully responsible for his own action. God must submit to the moral law that he will only punish man for his own non-predestined activity.<sup>41</sup> This perception of Mu'tazilī's thought was preserved by al-Khaṭīb in his entry on 'Amru ibn 'Ubayd.<sup>42</sup> Moreover, al-Khaṭīb called them Qadarī Mu'tazilīs, which indicates indeterminism as the basis of their thought. To preserve God's omnipotence, al-Ash'arī maintains that God is ultimately the only agent and He creates absolutely everything apart from Himself, including human actions. However, in order to

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<sup>38</sup> On *al-fiṭrah al-aṣliyyah*, see: Fakhr al-Dīn al-Rāzī, *al-Maṭālib al-Āliyah* (Beirut: Dār al-Kitāb al-ʿArabī, 1987), 3:164.

<sup>39</sup> al-Bāqillānī, *Tamhīd*, 7.

<sup>40</sup> al-Baghdādī, *Uṣūl*, 8.

<sup>41</sup> Richard Frank, "Two Islamic Views of Human Agency," in *Classical Islamic Theology*, ed. Dimitri Gutas, VI:37-49.

<sup>42</sup> *TMS*, 14:63.

preserve God's justice, he introduces the theory of acquisition (*al-kasb*), where despite their actions being created by God, it is humans who select the appropriate actions and therefore become responsible for them.<sup>43</sup>

With the introduction of this theory, it is easy to apprehend the *ḍarūrī/kasbī* relation regarding the reality of knowledge and human responsibility of seeking knowledge. According to Ibn Fūrak (406/1015), al-Ash'arī highlighted that:

'The native knowledge (*ḍarūrī*) is the basis (*uṣūl*) for the acquired knowledge (*kasbī*). The person who seeks evidence (*mustadill*) would only perform that action in order to know what he has not yet known by virtue of speculation based on the force of what he has natively known and conflating the former with the latter. When they coalesce mentally (*fī al-ma'nā*), he is able to inform a coherent conclusion mentally and extra-mentally (*fī al-ḥukm*). That is when he has fulfilled the right of speculation (*ḥaq al-naẓar*) and met all its stipulations.<sup>44</sup>

Al-Ash'arī instates here the idea of valid speculation. Hence, we find al-Baqillānī preparing his readers with the *ḍarūrī*-ness of the Qur'ān when he constructs his concept of *i'jāz al-Qur'ān* (how the Qur'ān proves its independency from man power; disempowering man). Al-Baqillānī demanded first the approval of *wujūd* (existence) and *taẓāhur* (empirically sensed by multiple sides) of the Qur'ān itself from his respondents.<sup>45</sup> This is his first principle. The second principle reads that the use of man's power to produce the same has only experienced failure throughout history. Apart from applying a historical proof, al-Baqillānī's implicit strategy behind this second principle is the concept of *'ādah* (repetition or customary pattern).<sup>46</sup>

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<sup>43</sup> It is also worth noting that according to al-Ash'arī, the act in the acquisition of knowledge and the acquisition too are chosen and performed by man, yet God creates that particular act and that particular knowledge. This distinguishes his position from the Mu'tazilah when they hold that *al-naẓar yuwalliduhu* (speculation generates knowledge). Ibn Fūrak, *Mujarrad Maqālāt al-Shaykh Abī'l-Ḥasan al-Ash'arī* (Beirut: Dār al-Mashriq, 1987), 19. See also: Frank Griffel on Ash'arite occasionalism in the generations before al-Ghazālī in: *Al-Ghazālī's Philosophical Theology* (Oxford: oxford University Press, 2009), 124-27.

<sup>44</sup> Ibn Fūrak, *Mujarrad*, 13-14.

<sup>45</sup> *Wa-idhā thabata hādha al-asl wujūdan*. al-Bāqillānī, *I'jāz al-Qur'ān* (Cairo: Dār al-Ma'ārif), 17.

<sup>46</sup> Even though in the Ash'arī scheme, a cause (*sabab*) has no organic independent effect on the caused (*musabbab*), and their relationship is merely learned in customary human experience, which is the essential principle of the concept of *'ādah*, it is crucial to remember that customary pattern

Already in the Ash‘arīs writings, they established that God is the immediate and only cause of everything. This, according to Nicholas Heer, is helpful to explain that acts contrary to the customary pattern are immediately caused by God, a sign for metaphysical realm. Hence, the occurrence of this type of act at the claim of Prophethood proves that the Prophet has a direct contact with God.<sup>47</sup> Conversely, the inability of anyone to produce the same as the Qur‘ān proves that it is beyond human customary acts.

This concept of *mu‘jizah* can be sensed in the writings of many Ash‘arīs. Al-Khaṭīb exhibits a similar understanding. In his comment on the study of astrology, he said:

‘Even when a true reading is found (*wujida*) in the practice of a person who claimed mastery of this field, his errors are much more. His true reading will not redeem a tenth of one tenth of his errors. The real occurrence is merely a coincidence ... One should not say that it is reliable based on that incidence, neither act upon it. Only if true prediction repeats, his words are found honest many times, his judgment is right likewise, and he was not proven wrong except a small number of time, then we recognise his noble mastery and we testify it as a miracle (*mu‘jizah*).’<sup>48</sup>

This statement exemplifies how *‘ādah* (repetitive pattern) and counter-*‘ādah* were conceptualised as valid sources for knowledge. Through the concept of *ijāz al-Qur‘ān*, the Ash‘arīs were convinced that they have maintained both: (1) the truth of the Qur‘ān and the Prophet, and (2) the human right and ability to selectively speculate the knowledge of the truth.<sup>49</sup> Consequently, *luzūm al-ḥujjah* (the demand of

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informs a certain level of truth. A counter customary pattern (*khāriq al-‘ādah*) signifies a higher realm since it is a truth of immediate cause. Hodgson, *Venture*, 1:443.

<sup>47</sup> Nicholas Heer, “The Proof for the Truthfulness of the Prophet” (paper presented at the 1967 annual meeting of the Western Branch of the American Oriental Society in Portland, Oregon, 2006, updated 2013).

<sup>48</sup> *al-Qawl fī al-Nujūm*, 58.

<sup>49</sup> Speculation therefore could be based adequately on religious sources and intellectual sources. The Ash‘arīs constructed two epistemological routes for knowledge: sensory experience and religious sources to respond to the Mu‘tazilī’s supremacy of reason. See: Ulrich Rudolph, “Ratio und Überlieferung in der Erkenntnislehre al-Aš‘arī’s und al-Māturīdī’s,” *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 142 (1992), 72-89. Rudolph stated: ‘Ersteres besteht unter anderem aus den Erkenntnissen der Sinne und aus gesicherter Überlieferung, das andere erwirbt man durch die eigene rationale Spekulation. Somit besitzt die Verstandestätigkeit nicht nur eine, sondern zwei

the compelling argument) can be understood as explained by al-Bāqillānī.<sup>50</sup> It is, therefore, understandable to find al-Khaṭīb's emphasis on the Prophethood and *mu'jizah* of the Prophet, albeit briefly, at the beginning of his exposition of the *Sunnah* of Muhammad.<sup>51</sup>

### 3.6 The Metaphysical Realism and *Iktisābī* Knowledge

This section considers the question: how does theological epistemology converge with legal judgement and the study of *ḥadīth*? On further examination, the aforementioned connection of *ḍarūrī* with *kasbī* shares a similar logic to that observed by Joseph Lowry from the metaphysical realism of al-Shāfi'ī. This helps to enrich the explanation of the proximity between Ash'arism and Shāfi'ism.<sup>52</sup> Lowry extrapolates from al-Shāfi'ī's *al-Risālah* the relationship between revelation and law in the scholar's epistemology. On the one hand, revelation is all encompassing and never self-contradictory. On the other, law is often a result of hermeneutics and manipulation of texts. Lowry then concludes that al-Shāfi'ī's theory of *ijtihād* (legal inference) implicitly holds that the correct answer to a legal question has an objective, metaphysical existence.<sup>53</sup> Consequently, *ijtihād* is an endeavour to seek that truth despite human limitations. Thus, the relation between *al-ḥaqq* (the truth) and *ijtihād* becomes similar to the relation that the abovementioned scholars established between the ultimate end of *ḍarūrī* knowledge and the result of the valid *kasbī* knowledge. According to al-Ash'arī, human knowledge of Allah is *iktisābī* in this world, based on *al-naẓar wa al-istidlāl* (speculation and indicant-cognition), but it is *ḍarūrī* in the hereafter, where people necessarily know Allah.<sup>54</sup> Where there is an

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mögliche Grundlagen, weil sie sowohl von den gesicherten Daten der Sinneswahrnehmung wie auch von den Aussagen der Überlieferung ausgehen kann.'

<sup>50</sup> The concept of *ḥujjah* will be explained in a future section.

<sup>51</sup> FWM, 1:277.

<sup>52</sup> They share a similar epistemological scheme. al-Ṣafadī stated that many Ḥanafīs were Mu'tazilīs, many Shāfi'īs were Ash'arīs, many Mālikīs were Jabriyyah and many Ḥanbalīs were Ḥashawīs. See: *al-Ghayth al-Musjam fī Sharḥ Lāmiyat al-'Ajam* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1990), 2:55.

<sup>53</sup> Joseph Lowry, *Early Islamic Legal Theory* (Leiden: Brill, 2007), 245-247.

<sup>54</sup> The author uses the name Allah here for there is a significant strategy in the Ash'arīs writings to differ between *al-Ṣāni'* (Maker) and Allah.

ideal *ijtihād* in al-Shāfiʿī's scheme, there also exist an ideal speculation in al-Ashʿarī's scheme. Both the *ijtihād* endeavour and the *kasbī* knowledge, or more appropriately called *iktisāb*, have potential in regards to the objects of truth (*al-ḥaqq*).

Al-Khaṭīb makes it crystal clear when he applies this notion to the legitimacy of the *Sunnah* of Muḥammad. He commented on the part of human limitation: 'I swear, by my life, that the *sunan* [of Muḥammad] and the facets of Truth are often contrary to the logical inference, in fact, extremely divergent. Nevertheless, Muslims are obliged to follow and submit to them.'<sup>55</sup> Al-Khaṭīb then exploited the story of Moses and the righteous servant, conventionally identified as Khidr, and pointed out how Moses was sceptical of the latter's acts until God unveiled (*kashafa*) the truth to Moses.<sup>56</sup> This is to explain the issue of knowing the final answer based on sole rational faculty, exemplified in multiple attitudes towards revelation. Al-Khaṭīb asserted that there exist metaphysical realities (*uṣūl*), which would explain away the apparently unreasonable *sunan* (metaphorically: pathways) if they were unveiled to humans (*law kushifa li'l-nās*).<sup>57</sup> However, al-Khaṭīb believes that it is thoughtless for a person to avoid following the injunction of the *Sunnah* just because God has yet to unveil the wisdom behind it.

It is crucial to note that al-Khaṭīb used the term *Sunnah* and *sunan* when attending to this subject instead of individual reports or *ḥadīth*. By virtue of *ḍarūrī* and *kasbī* theory alongside the concepts of the veiled *ḥaqq* and *ijtihād*, al-Khaṭīb found a support for the *Sunnī* stance on following the *Sunnah* of the Prophet. This is despite the epistemological uncertainties in its channels and the selective nature of its execution. We may also infer that the term *istidlālī* is often used instead of *iktisābī* and *ijtihādī* for it encompasses the significance of both notions regarding intellectual

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<sup>55</sup> FWM, 1:393. Al-Khaṭīb listed here six examples in the ruling of compensation (*diyah*) that do not make sense according to rational thought.

<sup>56</sup> Ibid, 1:395-396.

<sup>57</sup> This constructs *naẓar* as a movement and the words *muqārabat al-ṣawāb* (being closer to the truth) seems like a borrowing of the *Ṣūfī* concept of *taqarrub* and its relation with *kashf al-ḥijāb* (lifting the veil).

endeavour.<sup>58</sup> For this reason as well, al-Khaṭīb initiated his seminal work on *ḥadīth* criticism, *al-Kifāyah*, with a chapter on human responsibility and equated *Sunnah* with the Qurʾān in demanding *iktisāb* (acts) and *taklīf* (commanding responsibility).<sup>59</sup>

### 3.7 Shāfiʿism and *Sunnī Istidlāl*

In addition to the metaphysical realism of al-Shāfiʿī's *al-Risālah*, al-Khaṭīb's concept of *Sunnī istidlāl* seems to be deeply rooted and developed on the theory of *Sunnī bayān*. Initially, when metaphysics and revelation constitute coequal principles as explained above; it ultimately projects revelation as expression (*bayān*) of metaphysical truths (*uṣūl*).<sup>60</sup> Regarding this, al-Khaṭīb cited al-Shīrāzī who defines *bayān* as the *dalīl* (indicant) that leads to the correct object by virtue of valid speculation.<sup>61</sup> To further connect *istidlāl* with *ḥadīth*, al-Khaṭīb mentions the truthfulness of the Prophet as an individual reporter. He asserted that a report of the Prophet from God, despite being alone in his claim, must yield knowledge - in the sense that Muslims know theologically that it is necessarily true. This assertion was also based on the absence of fundamental distinction between the Prophet's model and his deliverance of God's scripture.<sup>62</sup> Consequently, it affirms the theory of *istidlāl* and buttresses the potentiality of all statements related to the *Sunnah* for they are the pathways to the ultimate objects of truth. On this elaboration, the *bayān-istidlāl* notion at the time of al-Khaṭīb may have been infused with the theological epistemology of Ashʿarism.

The theology of *muʿjizah* should have sufficed al-Khaṭīb to argue for the *Sunnah*, following Qurʾanic injunctions concerning the Prophetic model.

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<sup>58</sup> On the connection between theological *dalīl*, *madlūl*, *dalālah* and *istidlāl* with *σημειον*, *σημειωτον* and others, see: Van Ess, "The Logical Structure of Islamic Theology," in *Logic in Classical Islamic Culture*, ed. G.E. von Grunebaum (Wiesbaden: Harrassowitz, 1970).

<sup>59</sup> *al-Kifāyah*, 1:90.

<sup>60</sup> God's self-disclosure is the bedrock and fundamental presupposition of any theological activity. John Renand, *Islamic Theological Themes* (Univ. of California, 2014), 164.

<sup>61</sup> *FWM*, 1:316.

<sup>62</sup> Kassim Ahmad, *Ḥadīth*, 56. He argues that Prophet Muḥammad's sole mission was to deliver the divine message, the Qurʾān. His model is of secondary subject.

Nevertheless, the language of Shāfiʿī's hermeneutic was also dominant in the works of al-Khaṭīb.<sup>63</sup> The second chapter of *al-Kifāyah* points out two functions of the *Sunnah* with regards to the Qurʾān: *takhṣīṣ* (specification) and *tafsīr wa-bayān* (explanation).<sup>64</sup> Burton has observed that al-Shāfiʿī's hermeneutical techniques to explain any conflict between Qurʾān and *fiqh* (*Sunnah*) can be summarised into two words: *takhṣīṣ* and *bayān*. Burton even goes further to state that *takhṣīṣ* is a form of *bayān*.<sup>65</sup> This observation would suggest that the traditional epistemology of al-Khaṭīb is fundamentally Shāfiʿī's. It implies that his development of *ḥadīth* principles of criticism was also based on the hermeneutics of an authority. On the other hand, it serves as an important indicator of the influence of al-Shāfiʿī on *ḥadīth* studies, despite being largely ignored by *ḥadīth* critics in the technical exploitation of the discipline as studied by Scott Lucas.<sup>66</sup>

Burton, however, opined that al-Shāfiʿī's *bayān* was a product of the circumstances of his time. He avers that 'it was the circulation of conflicting *ḥadīths* rather than the Qurʾān's ambiguity which provoked his theory of *bayān*.'<sup>67</sup> A polemical reading would suggest that certain norms and practices were raised to the status of *Sunnah* through exploitation of projected *ḥadīth* and the *bayān* theory was subsequently developed to win over the polemics and construct orthodoxy.<sup>68</sup> While presenting the need to specify Qurʾānic injunctions, al-Khaṭīb shows how the *Sunnah* establishes that difference in religion disqualifies inheritance allowed in the Qurʾān between parents and offspring without specification. There arises a question on the authenticity of this specific condition as a *Sunnah* and not a selective construction of orthodoxy. Al-Khaṭīb conferred a double route method in his presentation: *istiqrār al-ʿamal* (the established practice) and the presumably non-orthodox based *isnād*

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<sup>63</sup> See Chapter Five.

<sup>64</sup> John Burton, *The Sources of Islamic Law* (Edinburgh Univ. Press, 1990), 139-140.

<sup>65</sup> Ibid, 146.

<sup>66</sup> Lucas, *Constructive*, 151.

<sup>67</sup> Burton, *Sources*, 139.

<sup>68</sup> For al-Shāfiʿī's argument for the authority of *Sunnah* and his linkage of obedience to the Prophet with *bayān* theory, see: Lowry, *Legal Theory*, 174.



(transmission).<sup>69</sup> Already in *Kitāb al-Faqīh*, he cited the Shāfiʿī Ibn al-Qāṣṣ al-Ṭabarī (335/946) arguing for the nexus between *Sharīʿah* (the established practice) and reports of practice. Ibn al-Qāṣṣ stated: ‘whosoever denounces *akhbār* (reports) [of the narrators]; he, in effect, denounces the *Sharīʿah* (traditional legal practice).’ However, due to the reliance of certain practice on a certain agreement, he furthered: ‘whosoever denounces Consensus; he, in effect, denounces his Prophet.’<sup>70</sup> The fact that both transmission and agreement are potential, and not final, al-Khaṭīb cited al-Shāfiʿī alluding to this double route strategy:

‘The basis is either Qur’ān or *Sunnah*. If [an answer] cannot be found in them, then a reasoning imitative (*qiyās*) to their internal patterns [is applied]. When a statement is transmitted unbrokenly in succession (*isnād*) to the Prophet and the transmission is safe and sound, then it affirms a *Sunnah*. Recurrent affirmations (*ijmāʿ*) are greater in strength than a sole reporter.’<sup>71</sup>

The ideal mutual confirmation between *ḥadīth* and ‘*amal/ijmāʿ*’ was clearly emphasised in this scheme. It suggests variably that al-Khaṭīb’s *istidlāl* methodology was developed on the basis of an orthodox epistemology.

However, Lowry argues that despite Burton’s fervent observation, it was rather limited. According to Lowry, ‘the concept of *bayān* aims to demonstrate that the Qur’ān and the *Sunnah* function together, in several different ways, to express rules of law,’ and mainly indicates the model principles of source-interaction. The possible contradictions in the evidences could be resolved by several hermeneutical techniques termed generally as *taʿwīl*.<sup>72</sup> *Taʿwīl* in one of its functions serves as an *istidlālī* tool to piece them together. Hence, the term *bayān*, which also signifies

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<sup>69</sup> *al-Kifāyah*, 1:99. Al-Khaṭīb argued that the *isnād* tradition is beyond sectarian filter. Kassim Ahmad had also subscribed to the concept of religious practices handed down through generations. Kassim, *Ḥadīth*, 56 (4).

<sup>70</sup> Either denounces the historical fact on the existence of the Prophet or the Prophetic *ḥadīth* on *ijmāʿ*.

<sup>71</sup> *FWM*, 1:533.

<sup>72</sup> Lowry, *Legal Theory*, 48. See Chapter Two.

clarity<sup>73</sup> was conceptualised. This coalesces soundly with Vishanoff's conclusion that al-Shāfi'ī's comprehensive legal system 'combined the scripturalist impulse to ground all law in the Qur'ān, with the traditionists' reliance on reports, and with the rationalist jurists' reliance on analogical reasoning.'<sup>74</sup> This is a meticulous observation that proposes interdepending sources. However, instead of limiting the theory to intertextuality, it would be more fitting to underline that al-Shāfi'ī was grounding an inter-indicants "clarificatory" relationship which poses both stability (revelation and hermeneutical principles), and dynamicity (ambiguity and contradiction in human transmission and interpretation). Vishanoff argues that al-Shāfi'ī blended together concepts from exegesis of the Qur'ān, law and even theology.<sup>75</sup> This inter-indicant coherence theory can be proved to have been expanded by later Shāfi'īs to furnish the *Sunnī* concept of *al-naẓar wa al-istidlāl* as will be shown in the next section. On another important note, the dynamics that preserve human right to choose the appropriate *naẓar* on evidences sits conveniently with the Ash'arī's *iktisāb al-naẓar al-ḥaqq*.

### 3.8 Sources for Speculative Endeavour and Indicant-Cognition

Al-Khaṭīb dedicated a large part of his work, *Kitāb al-Faqīh*, to elucidating the method of the valid *naẓar* (speculation). It begins with the section on *al-naẓar wa al-mujādalah* (speculation and disputation). He defines *naẓar* after specifying the *naẓar* of the *qalb* (insight) as having a thought on the contemplated objects (*al-fikr fī ḥāl al-manẓūr fīhi*).<sup>76</sup> The same definition was provided by al-Ash'arī, al-Bāqillānī, Ibn Fūrak, al-Shīrāzī, and even Abū Ya'lā.<sup>77</sup> Al-Khaṭīb subsequently staged a debate on the

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<sup>73</sup> Based on al-Shāfi'ī's metaphor of *ijtihād* and seeking the direction of Ka'bah, it is assumed that the clarity refers to adequate clarity of the region of the Ka'bah that emerges as a person moves nearer towards it with the help of the desert guides (*adillah*).

<sup>74</sup> According to Vishanoff, this was beautiful as an abstraction, but at the level of individual text and legal rules, it is far from perfect. David Vishanoff, *The Formation of Islamic Hermeneutics* (American Oriental Society, 2011), 40.

<sup>75</sup> Ibid, 42.

<sup>76</sup> FWM, 1:551.

<sup>77</sup> Ibn Fūrak, *Mujarrad*, 31, al-Bāqillānī, *al-Taqrīb wa al-Irshād* (Beirut: Mu'assasah al-Risālah, 1998), 1:210 Ibn al-Fūrak, *al-Ḥudūd fī al-Uṣūl* (Beirut: Dār al-Gharb al-Islāmī, 1999), 78, al-Shīrāzī, *al-Luma' fī*

legitimacy of *nazar* and employing disputation (*jadāl*) as a means to seeking knowledge. He then quoted Ibn al-Qāṣṣ enlisting sources of knowledge in this speculative endeavour. According to Ibn al-Qāṣṣ,

‘The sources of knowledge are seven: (1) Sense impression (2) the impression of sound logic (3) the knowledge of the *Kitāb* (Qur’ān) (4) the knowledge of *Sunnah* (5) the knowledge of recurrent approvals (*ijmā’*) (6) language impression, and (7) inferential impression (*‘ibrah*).’<sup>78</sup>

Ibn al-Qāṣṣ goes on to elaborate each of the sources. As for senses, he mentions five of them: hearing, seeing, smelling, tasting, and touching. As for sound logic, it is either natured (*gharīzī*) or nurtured (*mustajlab*). The *Kitāb* and the *Sunnah* are of two linguistic habits: summarised speeches (*mujmal*) and clarified ones (*mubayyan*). The transmission of the *Sunnah* is through one of two ways: recurrent statements of facts and individually transmitted reports. The recurrent affirmation (*ijmā’*) is of two kinds: the affirmation of the whole Community (*ijmā’ al-ummah*), and the affirmations which form a compelling proof (*ijmā’ al-ḥujjah*). Language is of two states: permissive usage (*majāz*) and normative usage. Inference is of two kinds: based on the original premise, and based on multiple aspects and indicants.

Al-Khaṭīb’s further elaboration of Ibn al-Qāṣṣ’s statement summarises and exemplifies the aforementioned theological discussion of this chapter. Concerning the senses, al-Khaṭīb states that they yield *‘ilm ḍarūrī* and not *iktisābī*, because it is impossible to cast doubt upon it. Ibn al-Qāṣṣ did not explain the epistemological weight of sensory experience. The connection made by al-Khaṭīb shows a significant development on the subject and al-Khaṭīb’s own devotion to the theological approach towards it.

Al-Khaṭīb then embellished the topic of sound logic. In contrast to his usual approach where he initiates a discussion with indicative texts from the Qur’ān and *Sunnah*, al-Khaṭīb this time begins his exposition with several views on *‘aql*. The first

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*Uṣūl al-Fiqh* (Beirut: Dār al-Kalim al-Ṭayyib, 1995), 32, Abū Ya‘lā, *al-Uddah fī Uṣūl al-Fiqh* (Riyadh: 1993), 1:84.

<sup>78</sup> *FWM*, 2:36.

defines *‘aql* as a type of *‘ilm ḍarūrī* placed in the heart. This may remind us of ‘Abd al-Qāhir’s axiomatic and *a priori* knowledge. The second definition views *‘aql* as a light and insight where *‘aql* in relation to the heart is as sight is to the eyes. Ibn al-Jawzī, who wrote a similar discussion after al-Khaṭīb, attributed this definition to the Ṣūfī al-Ḥārith al-Muḥāsibī (243/857) and the Ḥanbalī Abū al-Ḥasan al-Tamīmī (371/982), the author of *Kitāb al-‘Aql*.<sup>79</sup> The third definition portrays *‘aql* as inner potency that serves to discern the realities of objects of knowledge. *‘Aql*, therefore, fits the concept of human responsibility to undertake the valid speculation as discussed in the previous sections. It was emphasised as well in al-Khaṭīb’s fifth definition where *‘aql* is described as what makes the concept of *taklīf* (demanding responsibility from humans) beautifully attuned. The definition prior to this definition views *‘aql* as knowledge which distances its possessor from unwise conduct.

Unlike Ibn al-Jawzī who prefers the definition of *‘aql* as natural disposition (*gharīzah*) that is similar to an inner light, al-Khaṭīb concludes that all these definitions lead to a similar idea. He then traditionalises the concept of *‘aql*, adducing a *dictum* documented by a *ḥadīth* expert.<sup>80</sup> Despite the *dictum* being transmitted by Dāwūd ibn al-Muḥabbar, the author of a *ḥadīth* compilation titled *Kitāb al-‘Aql*, whom al-Khaṭīb regarded as non-trustworthy and had demonstrated his work to be forgery,<sup>81</sup> al-Khaṭīb proceeded to relate via his chain that the Prophet says:

‘O people, for every journey there is a dependable ride and a clear path. The best person who possesses the best ride, the best knowledge of direction, and the best understanding of the clear proof, is the one with the best mind (*afḍaluhum ‘aqlan*).’

Dāwūd has been accused of being influenced by the Mu‘tazilīs. Some critics, however, did have a good perception of Dāwūd. Ibn al-Jawzī also included this tradition amongst his traditional proofs for the virtue of *‘aql*, even though, he

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<sup>79</sup> Ibn al-Jawzī, *Dhamm al-Hawā* (Beirut: Dār al-Kitāb al-‘Arabī, 1998), 23-34. His arrangement of definitions follows totally al-Khaṭīb’s order. Ibn al-Jawzī despised al-Khaṭīb’s implicit criticism of al-Tamīmī. See Chapter Seven.

<sup>80</sup> al-Haythamī, *Bughyat al-Bāḥith ‘an Zawā’id Musnad al-Ḥārith* (Madinah: Islamic University, 1992), 2:801.

<sup>81</sup> TMS, 9:326.

eventually quoted al-Ḥāfiẓ Ibn Ḥibbān (354/965) saying that there is no authentic *ḥadīth* concerning ‘*aql*’.<sup>82</sup> Al-Khaṭīb went further by quoting predecessor who asserts that *ikhtiyār* (lit. selecting; making a good decision) shows the state of ‘*aql*’ of a person. This point is important as the concept of *ikhtiyār* explains the understanding of *iktisāb* and *taklīf* in his scheme.

Al-Khaṭīb turned back to the sources for speculation and touched briefly on the four other sources. The *Kitāb*, the *Sunnah* and the *Ijmāʿ* have already been elaborated prior to the section on *al-naẓar wa al-mujādalah*. He added in this section that one would not recognise the true object of *ijmāʿ* except after a study of divergence of opinions (*al-khilāf*). As for the impression of language, al-Khaṭīb relates it to the vast nature of the Arabic language. Speculation corresponds heavily to the knowledge of the language. Al-Khaṭīb asserts that in the Qurʾān, a verse might carry a verbal form of an imperative, but its meanings differ in many ways, which can only be determined with the help of the Arabic language.<sup>83</sup> This ambiguity in language was also propounded by al-Bāqillānī, albeit in a more flexible way than the traditionalists.<sup>84</sup>

The last source for speculative endeavour is *al-ʿibrah* or inference. As for Ibn al-Qāṣṣ’ first kind of inference, which is an inference based on the original premise, al-Khaṭīb gave an example which indicates deductive reasoning: (i) God prohibits us from grumbling ‘urgh’ before the parent, (ii) God’s prohibition signifies *tahrīm* (religiously unlawful), (iii) It follows that what is beyond ‘urgh’ is necessarily unlawful. According to al-Khaṭīb, this is common sense and ignorance in this kind of inference is unjustified. As for the second inference, al-Khaṭīb mentions the flexibility of meanings, analogical reasoning, intensive observation and *qiyās al-*

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<sup>82</sup> Ibn al-Jawzī, *Dhamm al-Hawā*, 27-29.

<sup>83</sup> When a command is stripped off from any possible modification, it implies an obligation. See *al-amr wa’l-nahy*, in *FWM*, 1:218, *al-ʿamr lahu ṣīghah*, 1:219, *āyāt makhrājuḥā amr wa maʿānīhā wujūh mutaghayyirah, min tahaddud, iʿjāz, ʿijāb, irshād*, 2:41.

<sup>84</sup> Vishanoff, *Islamic Hermeneutics*, 180-181. He states, ‘al-Bāqillānī argued his case for the indeterminacy of meaning against those, both Muʿtazilites and traditionalists, who identified certain meaning with certain verbal forms (for example, commands with imperative).’ Al-Bāqillānī argues for suspension of judgement since verbal expression has more than one possible meaning. Al-Bāqillānī exploited here the Ashʿarī theory of speech.

*ghā'ib 'ala al-mushāhadah*<sup>85</sup>, which collectively indicate an inductive reasoning similar to the method of the theologians. Al-Khaṭīb's indicative-text is the verse in which God makes an analogy between His power to produce vegetation from a barren land and His power to bring creation from nothing into existence.<sup>86</sup> According to al-Khaṭīb, those who arrive at a wrong conclusion in this type of inference are stripped off from the attribute of knowledge. Their speculation is then exposed to the danger of deviation and divine threat (*wa'id*).

By affirming these seven sources of speculative endeavours, al-Khaṭīb places himself as the most unique scholar who combines proficiency and innovative skill in the study of individual reports with an apparently acute awareness of a broader epistemological framework encompassing cosmological, theological, legal and social aspects of knowledge. He was not a scripturalist (Qur'ānist), empiricist (or naturalist), traditionalist, rationalist, or a person who upholds linguistic determinism. Instead, he pursued the Shāfi'ite interdependent clarifying relationship between indicants, infiltrated cohesively, yet relatively, by al-Bāqillānī's Ash'arism. As a *ḥadīth* expert, al-Khaṭīb proposed this framework to the circle of *ḥadīth* and invited its fellows to another level of criticism, which will be elaborated in a future chapter.

### 3.9 *Istidlāl* and the Occurrence of Knowledge

Unlike al-Bāqillānī, al-Khaṭīb did not discuss the mechanism by which knowledge is acquired through *al-naẓar wa al-istidlāl*. Al-Bāqillānī was against the concept of *tawallud* (generation) propagated by the Mu'tazilah. According to them, speculation *yuwallid* (generates) knowledge.<sup>87</sup> As for al-Bāqillānī, knowledge is

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<sup>85</sup> It suggests an inference of the invisible from the visible. The theologians used this method to prove the existence of God by way of analogy between the two realms. According to Ibn Taymiyyah, this inductive view differs radically from the method used in the Qur'ān. See: Georges Tamer, "The Curse of Philosophy: Ibn Taymiyyah as a Philosopher" in *Islamic Theology, Philosophy and Law*, ed. Birgit Krawietz, Georges Tamer (Berlin: De Gruyter, 2013), 344.

<sup>86</sup> Qur'ān, al-Ḥajj: 5.

<sup>87</sup> *Die tawallud-Theorie* in: TUG, III:116-121.

created directly by God at every independent moment.<sup>88</sup> *Naẓar* and *istidlāl* are the paths to knowledge, not its producer (*al-naẓar al-ṣaḥīḥ mutaḍammīn li al-‘ilm bi ḥāl al-manẓūr fīhi wa-ṭarīq ilayhi*).<sup>89</sup> This exemplifies the concept of ‘*ādah*’ espoused by al-Ash‘arī. According to al-Ash‘arī, drunkenness after intoxication, fullness after eating, thirst being quenched after drinking, health after consuming medicine, burning after the touch of fire, the fall of a stone after a throw, all are neither by means of intrinsic forces (*ma‘anī*) that necessitate their occurrences, nor generated by causes that beget them. They are the *ikhtiyār* (selective commands) of God, which He creates directly in agreement with the ‘*ādah*’ manifested before the servants.<sup>90</sup> Hence, according to him, the right speculation *yuthmir* (bears, lit. fruits) knowledge, but not in the sense of *tawallud* that has been propagated by the Mu‘tazilah.<sup>91</sup> Al-Ash‘arī in this sense, establishes an extremely pragmatic solution maintaining mutual selectivity and activity on the part of both God and humans.<sup>92</sup>

Although al-Khaṭīb did not delve into this discussion, his treatment of the subject of *al-naẓar al-ṣaḥīḥ* (the valid selective speculation) echoes faultlessly the words of al-Baḳillānī on the corrupted *naẓar* that hinders a speculator from arriving at the right knowledge. Al-Khaṭīb commented:

‘It is incumbent upon a person who has mastered the sources for speculative endeavours and wishes to engage in speculative dialogue to speculate according to the *dalīl* (indicant), not the *shubḥah* (trickery), to fulfil all the requirements of the indicant, and to arrange indicants according to the right condition and order.’<sup>93</sup>

According to al-Khaṭīb, this will lead a speculator to a compelling answer (*ḥujjah*), “by the will of God”. Al-Baḳillānī enlisted amongst the causes of corrupted

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<sup>88</sup> According to al-Ash‘arī, *al-muḥdith* (creator) is the one who brings non-existence into existence. For him, *khalaqa*, *fa‘ala*, *aḥdatha*, *abda‘a*, *ansha‘a*, *ikhtara‘a*, *dhara‘a*, *bara‘a*, *ibtada‘a*, and *faṭara* are essentially synonymous. Ibn Fūrak, *Mujarrad*, 91.

<sup>89</sup> *al-Taqrīb*, 1:211-212.

<sup>90</sup> Ibn Fūrak, *Mujarrad*, 134.

<sup>91</sup> *Ibid*, 285.

<sup>92</sup> See Ibn Taymiyyah’s refutation of this notion of selectivity in: *al-Nubū‘āt* (Riyadh: Aḍwā’ al-Salaf, 2000), 2:871.

<sup>93</sup> *FWM*, 2:43.

speculation: (i) to speculate based on trickery, not on indicants, (ii) to fail the requirements of an indicant, (iii) to deviate from the right arrangement of indicants, and several other causes.<sup>94</sup>

In summary, al-Ash'arī, al-Bāqillānī and al-Khaṭīb, all consider that knowledge is freely created (*iḥdāth*) by God, yet mostly in agreement with the *'ādah*, viz. after the execution of the appropriate selection and speculation by a servant. God, however, is free to create knowledge in the heart of the servant without a prior *naẓar* undertaken by him.<sup>95</sup> Even though *naẓar* is only a potential means to attaining the ideal knowledge or objective truth, from the perspective of *'ādah*, *naẓar* is indeed the path to knowledge and truth. According to al-Khaṭīb, the occurrence of knowledge without effort is contrary to *'ādah*, which signifies a *mu'jizah*.<sup>96</sup> On this account, the concept of *ẓann* denotes more potentiality rather than mere probability or doubt. A well established *dalīl* is the path for God's bestowal of knowledge, even though the *dalīl* might be characterised as not yielding knowledge prior to *naẓar*. In the case of al-Khaṭīb, this serves as one way to explain why *ḥadīth* is characterised as *ẓannī* (potential) and ultimately called *'ilm* (knowledge) as well as being affirmed as *ḥujjah* (compelling argument).

### 3.10 *Zāhir, Ghalabah* and Speculative Knowledge

Scant attention has been paid to the concept of *'ādah* as the source of knowledge in the scheme of al-Ash'arī. The *'ādah* referred to here is not the customary practice of a certain tribe or society, but as explained as well by Ibn Taymiyyah (728/1328), a synonymous concept to the notion of *sunnat Allah* (God's customary way of acting).<sup>97</sup> According to the Ash'arī scheme, because God customarily acts in accordance with certain patterns, the appearance (*ẓuhūr*) of

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<sup>94</sup> *al-Taqrīb*, 1:219.

<sup>95</sup> Heer, *The Proof*, 4.

<sup>96</sup> *Wujūduhu bi khilāf dhālik kharqu 'ādatin šāra bihi mu'jizah*, FWM, 2:334. Ibn Fūrak, *Mujarrad*, 134: Counter-*'ādah* is either a miracle of the Prophet, a *karāmah* (thaumaturgic gift) for the saints, signs for the *ṣādiqīn* (faithful) or exposition of liars.

<sup>97</sup> Ibn Taymiyyah, *al-Nubū'āt*, 2:867-869.



actions in this world is meant for humans to conceive. Furthermore, al-Bāqillānī had listed a number of instances where *‘ādah* yields *‘ilm ḍarūrī* such as the impossibility of giving life to the dead, transforming Tigris into gold (in our time), or turning a youth into an old man. Our knowledge of these non-occurring actions is intellectually necessary, and customarily proven.<sup>98</sup> Unless there is an evidence for a counter-*‘ādah* situation, the established *‘ādah* is the assumed default state. This is the basis for why *ẓāhir* (perceived reality) is more dominant in the Ash‘arī theological deliberation of speculation. The normative principle is often prioritised over any transgressive instances.

For the Ash‘arīs, if God intends other than the *ẓāhir*, He will customarily provide indicants through which humans can arrive at the intended object of speculation, which is relatively termed *bāṭin* and occasionally *mughayyab*.<sup>99</sup> Despite the previous discussion on the affirmation of metaphysical realities, occasional human limitation in acquiring them proves customarily to the Ash‘arīs that humans are disempowered from going further beyond the *ẓāhir* and that “the truth in apparent” is the furthest they may achieved and perceived. Knowledge therefore corresponds to the limit of human power to produce it and the Divine Will is estimated by the limit at which disempowering is perceived. This way of thinking replicates the underlying notion of al-Shāfi‘ī’s cognitive process for legal question and arriving at the objectively correct answer. According to Lowry, al-Shāfi‘ī instates that a *mujtahid* (seeker of knowledge) may acquire *‘ilm* by simultaneously *iḥāṭah* (encompassing) a correct answer (*ṣawāb*) in both the *ẓāhir* (apparent) and the *bāṭin* (objectively correct, lit. concealed, inner). When he fails to arrive at the *bāṭin*, he only discovers *al-ḥaqq fī al-ẓāhir* (the truth in apparent). A *mujtahid*, however, must never bypass the *ẓāhir* to arrive at the *bāṭin* alone.<sup>100</sup>

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<sup>98</sup> al-Bāqillānī, *al-Taqrīb*, 1:191.

<sup>99</sup> Lowry suggests that al-Shāfi‘ī’s emphasis on attempts to gain access to the objective or hidden truth could be an anti-Murji‘ī position since that proto-Murji‘ī epistemology suspended judgment concerning things not directly knowable. Lowry, *Legal Theory*, 248 fn 26.

<sup>100</sup> Ibid, 247-248.

This ambiguous relation between the *ẓāhir* side and the multiple possibilities of the *bāṭin* side underlies the concept of *ẓann*. For the Ash‘arīs, *ẓann* is inevitable in human cognitive processes. In defining *ẓann*, Ibn Fūrak says: ‘*Ẓann* is allowing for two uncertain possibilities one being potentially more apparent (*aẓhar*) than the other.’<sup>101</sup> *Ẓāhir* according to him is what allows two uncertain possibilities one being potentially more apparent than the other.<sup>102</sup> Therefore, *ẓann* and *ẓāhir* resemble “knowing” and “the object of knowledge”. Consequently, the closer a side to a state of *ẓāhir* (visibility), the more one experiences an increase in his *ẓann* (allowance) for the perception of truth in that side. When the *ẓann* cannot be increased anymore in all sides, human power is disempowered<sup>103</sup> and a relatively dominant sign for a correct answer in a previously concealed side is attested. This is an instance of *ghalabat al-ẓann* (the dominant allowance or potentiality).<sup>104</sup> This allowance is made possible by virtue of appearance (*ẓuhūr*) from the potential side and previous experienced perception (*‘ādah*). Both *ẓāhir* and *‘ādah* play a vital role in the making of *ghalabat al-ẓann*.

Al-Khaṭīb exhibits this line of thinking in a variety of contexts.<sup>105</sup> When explaining the weighing process between statements, al-Khaṭīb asserts that statements that do not yield a final state are open to preference (*tarjīḥ*) for they supply epistemologically only dominant allowance or potentiality (*ghalabat al-ẓann*), not certainty or apodictic knowledge (*‘ilm*). According to him, ‘*ẓann* (potential thought) accepts increase (*yaqwa*) with multiple repetitions of situations and

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<sup>101</sup> *Tajwīz amrayn aḥaduhuma aẓhar min al-ākhar: al-Ḥudūd*, 148. *Ẓann* is contrasted to *shakk*, for *shakk* is allowing two possibilities without any kind of advantage between them.

<sup>102</sup> *Ma iḥtamala amrayn aḥaduhuma aẓhar min al-ākhar: al-Ḥudūd*, 142.

<sup>103</sup> The defeat of human power always serves as an indicator of God’s will in the scheme of the Ash‘arīs. God only demands what is within the power of human. The discussion of this subject could be found under the concept of *taklīf mā lā yuṭāq*.

<sup>104</sup> From the human effort’s side, it is a dominant allowance of perception or predominance of thought. While from the side of the indicant, it refers to its dominant potential.

<sup>105</sup> See his use of *taẓāhur*: *al-Kifāyah*, ١:٧١٩.

conditions (*kathrat al-aḥwāl wa al-'umūr*) that produce dominance.<sup>106</sup> It is worth to note that *kathrah* (multiple repetitions) is amongst the indicators of *'ādah* (pattern).

In the orthodox scheme, predominant thought on metaphysical objects is secured and justified by adequate reliance on *dalīl* (indicant).<sup>107</sup> In the case of religious questions, *dalīl* is acquired from the sources of religious propositions.<sup>108</sup> For this reason, when a *dalīl* appears to be dominating, at least according to al-Khaṭīb, a legal actor who prefers his own opinion is deemed *ghalaba 'alayhi al-ra'yu* (dominated by loose rationale).<sup>109</sup> For the Sunnīs, within the sphere of *aḥkām shar'īyyah* (positive statutes), most *dalīls* comprise of individual reports of the past experience, particularly the Prophetic and pious predecessors' experiences. Hence, the study of potentiality in individual reports is of crucial importance in the making of speculative knowledge. This is another way to explain the equation of *ghalabat al-ẓann* with *'ilm*, here *al-'ilm al-naẓarī*.

On another note, the reliance on *'ādah* and *ẓāhir* informs a relatively distinctive feature of the *uṣūlīs* in contrast to the *Ṣūfī* scheme. According to Ibn Taymiyyah, in extreme cases, the *Ṣūfī* way of recognising truth is corrupted by the situation of *ghalabat al-ḥāl* (dominated by emotional state), even though God through His mercy may accept their efforts.<sup>110</sup>

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<sup>106</sup> Ibid, 2:261.

<sup>107</sup> It is a response against accusation of both: following a mere conjecture and liberating oneself from the *shar'ī* sources. Rudolph states, 'Allerdings will Ashari die Ratio auch im Bereich der Gotteskenntnis nicht gänzlich von der Offenbarung lösen, sondern fügt sofort wieder zwei Einschränkungen hinzu: Zum einen kann der Verstand auf diesem Wege lediglich feststellen, dass Gott existiert, nicht jedoch, wie Gott zu beschreiben ist. Denn sämtliche Namen, die wir ihm geben, müssen laut Ashari wieder in der Überlieferung bezeugt sein ... Aber auch hier bleibt letztendlich der Eindruck bestehen, das Ashari sehr sorgfältig darauf geachtet hat, die rationale Spekulation in einen von der Überlieferung vorgegebenen Rahmen einzubinden.' *Ratio und Überlieferung*, 72-78.

<sup>108</sup> See next chapter for al-Khaṭīb's sources of religious statutes.

<sup>109</sup> al-Khaṭīb's explanation on the preference of *khbar al-wāḥid* over *qiyās*. *FWM*, 2:140.

<sup>110</sup> Ibn Taymiyyah, *Majmū' Fatāwā* (Madinah: King Fahd Complex, 2004), 10:557.

### 3.11 Language Denotation and the Speculative Knowledge

As mentioned above, language constitutes one of the sources for speculative undertaking. In tracing al-Shāfiʿī's epistemology, Lowry grants that al-Shāfiʿī stands in between having a coherent concept of language and exploiting it for legal interpretation, and his concern that the vastness of the Arabic language and its expressive possibilities could be a barrier to achieving the correct answer in legal exercises.<sup>111</sup> Lowry also quoted Jackson on the idea that al-Shāfiʿī's insistence on the idiosyncratic character of Arabic defies systematisation and stands against the incipient formalism thriving in contemporaneous legal thought in Irāq. The above observation supports the later Shāfiʿīs' expansion of mature *uṣūl al-fiqh* where language is conceived as merely a source or *dalīl*, as qualified by al-Khaṭīb and Ibn al-Qāṣṣ. Within his framework of *istidlāl*, language impression is often potential to the metaphysical truth, and not final. This conception of language and the aforementioned attitude of al-Shāfiʿī buttress the thesis that the Shāfiʿism al-Khaṭīb propagated does not subscribe to linguistic determinism.

Theologians and theorists of legal principles had been occupied with negotiation between the language denotation and the *sharʿī* denotation.<sup>112</sup> The *sharʿī* denotations are essentially meanings established in the traditional proofs. In his study on *al-Taqrīb* of al-Bāqillānī, ʿAbd al-Ḥamīd deduces six major opinions on the relationship between the two denotations: (i) that it is not intellectually acceptable for *Sharīʿah* to transfer the original meaning of words from what it was denoted in language, (ii) that *Sharīʿah* may transfer a word from its original meaning to a completely new meaning, (iii) that *Sharīʿah* interferes in the original meaning by adding new connotation, however with a preserved connection between the two sides, (iv) that *Sharīʿah* uses the original meaning with elaboration only in the operational part, (v) that *Sharīʿah* changes the meanings of nouns with regard to

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<sup>111</sup> Al-Shāfiʿī's technical vocabulary in *al-Risālah* evokes a grammatical and linguistic resonance that proposes a fundamental connection between language and legal hermeneutics. Lowry, *Legal Theory*, 251-254.

<sup>112</sup> See: Mustafa Shah, "The Philological Endeavors of the Early Arabic Linguists: Theological Implications of the *tawqīf-istilāh* Antithesis and the *majāz* Controversy," (Parts I and II) *Journal of Qurʿanic Studies* (Edinburgh: Edinburgh University Press) (1999:1.1), 27-44 and (2000:2.1), 44-66.

practices, not the faith-related terms, and (vi) that the relationship could not be intellectually decided.<sup>113</sup> Ultimately, most of the Ash'arīs were against the Mu'tazilah idea that *Sharī'ah* may introduce a completely new meaning in faith-related terms such as *īmān*, *kufr*, *fisq* without any connection to its original denotation.

The elaboration of these views is beyond the scope of the present study. However, it is sufficient to assert here that al-Khaṭīb, and al-Shīrāzī too, manipulated the language denotation to mould together the speculative knowledge with apodictic knowledge in their effects on human undertakings. According to them, the Arabic language has never distinguished between what yields apodictic knowledge (*ilm*) and what yields potentiality (*ẓann*) in the definition of *ḥujjah* (compelling argument), *dalīl* (indicant) and *burhān* (proof).<sup>114</sup> Al-Khaṭīb, argumentatively, cited the language expert, Tha'lab on the equation of *ḥujjah* (intellectual argument) with *burhān* (in logic and philosophy: apodictic proof). The language, therefore, supports their designation of individual reports as *ilm*, *dalīl* or *burhān*. Substantially, it is a clever manipulation of language within the traditional legal circle to reconcile between the legal *bayān* and the theological *burhān*.<sup>115</sup>

### 3.12 The Theological Challenge and the Essence of Proof

Rosenthal in his landmark study on knowledge asserts that theology had a fundamental stake in defining “knowledge” and that the basic guidelines for the phrasing of various definitions can be assumed to have been operative at the very beginning of *kalām*.<sup>116</sup> It is noticeable that theological polemic between the Ashā'irah and the Murji'ah brings to light the distinction between knowledge as

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<sup>113</sup> 'Abd al-Hamīd Abū Zunayd, trans. *al-Taqrīb wa'l-Irshād*, 1:104-134.

<sup>114</sup> *Wa-laysa tufarriqu al-'Arab bayna mā yuaddī ila al-'ilm aw al-ẓann an tusammīhi ḥujjatan wa dalīlan wa burhāna*. *FWM*, 2:45. al-Shīrāzī, *al-Luma'*, 33. Contrary to al-Khaṭīb, al-Shīrāzī criticised the theologians for their distinction between the two epistemological classes.

<sup>115</sup> Van Ess, *Logical Structure*, 26.

<sup>116</sup> Franz Rosenthal, *Knowledge Triumphant* (Leiden: Brill, 2007), 47.

cognition (*maʿrifah*) and knowledge as belief (*iʿtiqād*).<sup>117</sup> The dispute between the Ashʿarīyah and the Muʿtazilah evinces the distinction between knowledge as *kasbī* and knowledge as a product of natural generation (*tawallud*). Al-Bāqillānī adopted the position that knowledge is the cognition of object known as it is (*al-maʿlūm ʿalā mā huwa bihi*). He and al-Ashʿarī rejected the definition of knowledge as belief for it includes presupposition and probable belief by the layman as well. For al-Bāqillānī, the clause “as it is” is merely complementary since the word *al-maʿlūm* (the object of knowledge) has already encapsulated it. He also rejects that it be replaced with *shayʿ* (thing), for it excludes the knowledge of non-existence (*al-maʿdūm*). Al-Bāqillānī presented four phrasings that embody the notion of *iʿtiqād al-shayʿ* and refuted them.<sup>118</sup> The Ḥanbalī Abū Yaʿlā seems to copy al-Bāqillānī on this.<sup>119</sup>

Al-Khaṭīb quoted al-Bāqillānī when he exploits the elaboration of *al-maʿlūm ʿalā mā huwa bihi* to refute those who opine that individual reports yield definite knowledge solely from the apparent side (*al-ʿilm al-ẓāhir*), and its reality (*bāṭin*) has no implication on qualifying humans as knowing. According to this view, *ẓāhir* alone is sufficient to be deemed definite knowledge. The indicative text for this is the clause “*alimtumūhunna muʿmināt*” (you “know” them as believers) in the Qurʾān.<sup>120</sup> Despite the fact that the state of faith in the heart is unknown, the Qurʾān calls the cognition of the external state “knowing”. Humans, therefore, are obliged to conclude a definite stance based on the external state.<sup>121</sup> Al-Bāqillānī, according to al-Khaṭīb, says: ‘The jurists who hold this view do not understand this subject. Knowing could not be considered as really knowing except when the object known

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<sup>117</sup> Ibn Fūrak, *Mujarrad*, 11, al-Bāqillānī, *al-Taqrīb*, 1:178, al-Shīrāzī, *Sharḥ al-Lumaʿ* (Beirut: Dār al-Gharb al-Islāmī, 1988), 1:147-148.

<sup>118</sup> Rosenthal places “knowledge is the trust that the object known is as it is (*al-thiqah bi anna al-maʿlūm ʿalā mā huwa bihi*)” in the cluster that views knowledge as belief, while al-Bāqillānī places it amongst his acceptable definitions since *al-thiqah* is understood in the sense of cognition. *Knowledge*, 63.

<sup>119</sup> *al-ʿUddah*, 1:78-79.

<sup>120</sup> Qurʾān, al-Mumtaḥanah 60:10.

<sup>121</sup> The difference between this absolute dependence on *ẓāhir* (visible) and the previous Ashʿarite conception that *ẓāhir* and *ʿādah* are dependable is that *ẓāhir* and *ʿādah* are viewed as *dalīl* (indicant) and not the *madlūl*.

(*al-ma'lūm*) is as it is externally and internally (*'alā mā huwa bihi zāhiran wa-bāṭinan*).<sup>122</sup> The use of “knowing” in the Qur’anic verse is permissive (*majāz*), for one may hear only their confessions, and the real state of the heart is unknown. Since utterance is a *dalīl* (sign) to what is in the heart, the transgressive use of ‘knowing’ is acceptable in language.<sup>123</sup> Al-Khaṭīb’s narrative suggests that one cannot have a definite stance of what is in the heart of others and most of what was in the past, for they are *mughayyab* (outside direct experience). The assertion that individual reports must bear a definite knowledge in order to be legitimately reliable is similar to having a definite knowledge of the truthfulness of judges and witnesses, especially when we are obliged to accept their statements. For al-Khaṭīb, this is impossible (*‘ajz*), certainly based on the theological definition of knowledge he adopted.

### 3.13 The Traditionists and Speculative Deliberation

The pre-canonical and canonical collections of *ḥadīth* and traditions until the fourth/eleventh century did not express any intensional definition of knowledge. Rosenthal provided a comprehensive study on collections with books, chapters and headings “on Knowledge” and concluded that the traditionists’ presentation of knowledge is rather methodological and confessional. It aims to preserve the educational procedure in the study of traditions and to stress the essential relationship of knowledge with faith.<sup>124</sup> Brown has also observed that neither al-Bukhārī nor Muslim explained the description of the requirements for a sound *ḥadīth*. Certainly, there was no explanation on the relationship between the conditions of soundness and the epistemological degrees. Amongst the authors of collections of sound traditions, it was Ibn Khuzaymah (311/923) who was also a student of al-Bukhārī and Muslim, who notified his intended meaning of

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<sup>122</sup> *al-Kifāyah*, 1:123. The text is found in *al-Taqrīb*, 3:53-54 with different wordings and additional elaboration. This could be out of different versions of the work authored by al-Bāqillānī for he had authored the large, medium and small version. Cf. al-Juwaynī, *al-Talkhīṣ fī Uṣūl al-Fiqh* (summary of al-Bāqillānī’s *Taqrīb*) (Beirut: Dār al-Bashā’ir, 1996), 2:326.

<sup>123</sup> This was also an influence of al-Ash‘arī concept of *al-kalām al-naṣī* (inner speech).

<sup>124</sup> Rosenthal, *Knowledge*, 70-96.

soundness.<sup>125</sup> Ibn Khuzaymah has been associated with Shāfi‘ism and exhibits a staunch belief in creative manipulation. Traditionalists and later scholars including al-Khaṭīb celebrated his confident statement that asserts no contradiction amongst the traditions except that it can be creatively harmonised.<sup>126</sup>

The traditionists’ attitudes seem to suggest a non-interest in speculative explanation. This character can be easily sensed from their attitudes towards speculative deliberation (*al-jadal*). According to al-Khaṭīb, this is due to some statements, which carry what resembles as an inductive pessimist argument. Al-Khalīl ibn Aḥmad said: ‘There is no speculative assertion except there will be another speculative assertion that demolishes it.’ Mālik ibn Anas in a disproving manner asked: ‘Do we need to refute what Gabriel brought to the Prophet every time we encounter a man who is more proficient in his speculative argument than the previous one?’<sup>127</sup> For the traditionists, knowledge is self-realised. Organic and natural experience of knowledge through a long encounter with traditions is more convincing than systematic speculative elaboration, which is highly fragile. In certain instances, knowledge seems to be rather an epiphany. ‘Abd al-Raḥmān Ibn Maḥdī (198/814) said: ‘The knowledge of tradition is through inspiration (*ilhām*). If you asked a knower “how did you know?” he will not have a compelling explanation.’ Al-Ḥāfiẓ Abū Zur‘ah (264/878) illustrated that a *ḥadīth* is compelling whenever one consults several *ḥadīth* experts without mentioning his previous meeting with any of them and finds that their responses were uniform. His interlocutor did that and eventually expressed: ‘I witness this knowledge is an inspiration!’<sup>128</sup> Prior to them, Mālik ibn Anas said: ‘Knowledge is the light God placed in the heart.’<sup>129</sup> Many later quotations of these statements expressed the notion that knowledge is *iḥdāth* (instated) by God in the heart of the believer. This thought was crystallised by the *ḥadīth* exegete, al-Ḥāfiẓ Ibn al-‘Arabī (543/1148) as

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<sup>125</sup> Brown, *Did the Prophet*, 271.

<sup>126</sup> *al-Kifāyah*, 2:259.

<sup>127</sup> *FWM*, 1:554.

<sup>128</sup> al-Ḥākim al-Naysābūrī, *Ma‘rifat ‘Ulūm al-Ḥadīth* (Beirut; Dār Ibn Ḥazm, 2003) 360-361.

<sup>129</sup> *al-Jāmi‘*, 2:174.



he said: ‘Knowledge is too clear a concept to require an explanation, but atheists and heretics have wished to complicate the term “knowledge” and other religious or intellectual concepts in order to confuse the people and drive them into sophistries.’<sup>130</sup> Later mystics also caution the attempt at defining knowledge for it may indicate an ignorance of the true meaning (*sirr*) of knowledge.<sup>131</sup>

Brown eventually quoted Ibn Taymiyyah’s comment on discrepancies in the *ḥadīth* of Jābir: ‘Whoever studies its chains of transmissions knows decisively (*qaṭʿan*) that the *ḥadīth* is sound, even though the narrators disagreed on the (specific) price.’<sup>132</sup> A traditionist intuitively knows the truth despite contradictory details. Yet, there remains a question: How does a person know incontrovertibly that this claimed certainty was not influenced by a tendentious construct from the past?

### 3.14 Al-Khaṭīb’s Solution

In his exposition of the concept of *dalīl* and *ḥujjah*, al-Khaṭīb stated that traditional scholars (*fuqahā*) designate individual reports (*dictum*), analogical reasoning (*derivatum*) and everything that yields high potentiality (*ghalabat al-ẓann*) as *ḥujjah* (compelling argument) and *dalīl* (proof). The verifiers amongst the theologians and experts of speculation discredit that designation and uphold that a proof is what grants apodictic knowledge of the object proven. It must yield final *yaqīn* (certainty). Whatever leads to high potentiality is not essentially a proof, but a sign or hint (*amārah*). As mentioned above, al-Shīrāzī would regard the theologian as making a mistake since the Arabic language does not differentiate between indicant and proof. Al-Khaṭīb, however, commented:

‘I shall say: Neither the traditional scholars nor the theologians were wrong. As for the theologians, they asserted the real essence (*al-ḥaqīqah*) of *dalīl* and *ḥujjah*. As for the traditional scholars, they name the signs they were commanded to consult such as individual reports, analogical reasoning and everything that yields high potentiality as proof because God commands

<sup>130</sup> Ibn al-ʿArabī, *ʿAṣṣat al-Aḥwazī bi-Sharḥ Ṣaḥīḥ al-Tirmidhī* (Beirut: Dār al-Kutub al-ʿIlmiyyah), 10:114.

<sup>131</sup> *La yajūz taʿrīf al-ʿilm*: al-Qūnawī, *Iʿjāz al-Bayān fī Tafsīr Umm al-Qurʾān* (Iran: Bustān Kitāb) 49. Also: Ibn ʿArabī, *al-Futūḥāt al-Makkiyyah*,

<sup>132</sup> Ibn Taymiyyah, *Majmūʿ Fatāwā*, 13:350.

them to speculate (*naẓar*) based on this high potentiality. Hence, they call these signs as *ḥujjah* and *dalīl* (proof) since reliance on *sharʿī* injunction will necessarily lead them to its ultimate aim [i.e. these signs are indirectly proven by God].<sup>133</sup>

By asserting the above, al-Khaṭīb had theorised that the right rational proof and the reliable traditional proof will mutually lead to the same aim. He seems to suggest the possibility of adopting two realities; *ḥaqīqah ʿaqliyyah* and *ḥaqīqah naqliyyah*.

On the basis of this line of thinking, we may infer as well that while al-Khaṭīb adopted the essential definition of knowledge espoused by the theologians and experts of speculation, he also acknowledged that individual transmission from the Prophet is called *ʿilm* in the traditional sources. Hence, the endeavour into documenting individual reports including *ḥadīth* is called *taqyīd al-ʿilm*, as in the title of his work.

Additionally, al-Khaṭīb illustrates that in principal, report (*dictum*) and imitative reasoning (*derivatum*) are recognised as the source of proof, argument and knowledge. It is only at the level of particular cases that individual report or individual reasoning commensurate to high potentiality.

For al-Khaṭīb, even the Qurʾān [through *majāz*] names what is not a compelling argument as a compelling argument. According to him, God does not need to submit to the moral law by proving that a servant has committed disobedience of law in order to punish him. Even if God began the creation with punishment, it is not against the logic of wisdom since He is free to dispose His will over His possessions. Therefore, the punished in actuality owns no compelling argument in demanding an explainer of a “moral code” i.e. the Messenger of God. However, the Qurʾān calls their hypothetical reaction a compelling argument.<sup>134</sup> This additional argument of al-Khaṭīb may place him amongst those the Muʿtazilah

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<sup>133</sup> FWM, 2:45.

<sup>134</sup> The verse translates: ‘[We sent] Messengers of good cheer and of warning, in order that mankind might have no argument against Allah after the messengers. Allah was ever Mighty, Wise.’ Qurʾān, al-Nisā’ 4:165.

designated as *mujabbirah*, an epithet for extremist espousal of the doctrine of predestination.<sup>135</sup>

Nevertheless, al-Khaṭīb's stress on human acquisition of knowledge affects his approach to traditions. Experience and trainings precede the cognition of *ḥadīth*, even though the cognition is self-realised as expressed by the traditionists. Al-Khaṭīb concluded:

'The cognition of *ḥadīth* is not through being instructed (*talqīn*) with former verifications. Rather it is a knowledge immediately placed (*iḥdāth*) by God in the heart. The closest similitude to the knowledge of *ḥadīth* is the knowledge of coins and the identification of counterfeited coins (*dīnārs* and *dirhams*). The genuineness of these coins is not recognised through colour, feel, freshness, weariness, engraving, or any characteristic that relates to the size or the thickness of the coin. Rather an examiner recognises it when he looks at it. He will recognise whether it is coated or counterfeited, genuine or mixed. Likewise, is the identification of *ḥadīth*. It is a knowledge created by God in the hearts, however, after extensive training and keen attention towards it.'<sup>136</sup>

## Conclusion

Every reading of the idea of knowledge in traditional epistemology must take into consideration the problem of authenticity versus sincerity. Traditionalism as expressed in the scheme of al-Khaṭīb does not always pursue authenticity. Sincerity and practice have a significant impact on the concept of knowledge for individual endeavour and acquisition are always connected to the will of God. Furthermore, there are several key theologico-epistemological concepts which are fundamental to the reading of his works: the concept of *mushāhadah* (seen/sensed) and *ghayb* (unseen), the concept of *ʿādah* (intelligible pattern) and *muʿjizah* (beyond intellect), the concept of *iktisāb* (voluntary acquisition) and *maʿānī* (Divinely

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<sup>135</sup> Ibn Taymiyyah criticised the *kasb* theory of al-Ashʿarī saying that 'the Ashʿarīs essentially agreed with the Mujabbirah [such as Jahm ibn Ṣafwān and his followers] on *jabr*, and their dispute with them is only terminological (*nizāʿ lafẓī*), since they had introduced *kasb* and the potentiality of *kasb*.' At another place, he argued that the *kasb* of al-Ashʿarī is merely superficial. This subject requires a more thorough study of the Ashʿarī epistemology of *ʿādah* since *kasb* according to the Ashʿarīs relates to customary occasionalism (*al-iqtirān al-ʿādī*), and not to essential effect (*taʿthīr*). See: Ibn Taymiyyah, *Majmūʿ Fatāwā*, 13:228 and 8:128.

<sup>136</sup> *al-Jāmiʿ*, 2:255.

bestowed meanings), and the concept of *‘aqlī* (speculatively derived) and *naqlī* (transmittedly dictated) proofs. The above dualism between the intellectual realm and the will of God underpinned the notion of *ghalabat al-ẓann* (the point at which thought may arise), for in the scheme of the Ash‘arite atomistic *kalām*, generalisation, speculation and causes are merely secondary and the only enduring existence is the Divine Will. Consequently, Divine message is more important and corresponding to God’s arbitrary decision. *Sunnah* and *Sharī‘ah*, therefore, secure a higher epistemological status. Due to the fact that *khavar* and *qiyās* both involved speculation at the level of individuals, they are potential with regard to the objects of higher truth. However, the Qur’ān and *Sunnah* themselves name the potential sources as *‘ilm* and praise *ijtihād* which is voluntary and non-arbitrary. A more detailed explanation and methodological framework of this *ijtihād* will be treated in the next chapter.

# **Chapter Four:**

## **Methodological Framework**

## Overture

Al-Khaṭīb al-Baghdādī has been associated in modern scholarship with various denominations. Titles from his works such as *Sharaf Aṣḥāb al-Ḥadīth* imply that he was an acute traditionalist. In addition to various perceptions, al-Khaṭīb's view on the relation between traditionalism, *ḥadīth*, *fiqh*, *ijtihād* and *ʿilm* has never been studied exclusively and explained in a way that reveals either the breadth of its originality or the state of being influenced by any preceding scholarship. This chapter attempts to delineate the methodological framework that fashions the intellectual course of this scholar while at the same time provides a fresh perspective in addressing the previous perceptions. It explores the polemical backgrounds and crises as they appear in the writings of al-Khaṭīb and gathers scattered theoretical expositions made by him, which could be appreciated as affirmations to the proposed methodological framework.

### 4.1 Primary Methodological Writings

Like many other scholars, a framework of a scholar's methodology cannot be appreciated from a single individual work. For instance, al-Khaṭīb's point of view on the subject of documenting *ḥadīth* should not be extrapolated exclusively from *Taqyīd al-ʿilm*, whereas he had also touched upon the subject in other works especially those that deal with methodological exposition. Despite that *Taqyīd* concentrates solely on its subject, a broader methodological framework formed by the entirety of his scholarship remains to be placed at utmost consideration. In the case of al-Khaṭīb, two works discernibly function as the pivot of his methodology, *al-Jāmiʿ li-Akhlāq al-Rāwī wa-Ādāb al-Sāmiʿ* and *Kitāb al-Faqīh wa'l-Mutafaqqih*. This is based on the followings:

- (1) Al-Khaṭīb's assertion in the exordium of both works that they serve as a methodological guide for anyone who aspires to pursue their subject areas. Al-Khaṭīb placed *al-Jāmiʿ* as the second work to be consulted following *Sharaf al-Aṣḥāb* despite that his seminal work on *ḥadīth*, *al-Kifāyah* had already been completed. As for *Kitāb al-Faqīh* it was the original source from which the

advice, *Naṣīḥat Ahl al-Ḥadīth* was extracted indicating the primacy and enormity of the former as higher methodological guide.<sup>1</sup>

- (2) Both works emphasise *adab*, which represents the methodological framework of education in Islam. Despite that *adab* has been more extensively elaborated in Ṣūfī fraternities, it is a methodological concept shared in many fields of specialisation. Al-Khaṭīb borrowed a Ṣūfī master, Yūsuf ibn al-Ḥusayn al-Rāzī's (304/916) programme:

‘*Adab* leads to knowledge. Knowledge guides performance. Performance leads to wisdom. Wisdom reveals abstinence. Abstinence leads to denigration of lowly life. Avoiding the lowly life leads to the yearning for the higher afterlife. The yearning for the higher afterlife leads to the content relation with God.’<sup>2</sup>

- (3) There are explicit statements in these works, which explain certain approaches in the other works. For example, al-Khaṭīb's entry for Abū Ḥanīfah in *Tārīkh Baghdād* has been perceived as the most controversial treatment of the luminary's biography as reflected in the modern exchanged refutations between the Ḥanafī Zāhid al-Kawtharī (Cairo, 1371/1951) and the Ḥanbalī ‘Abd al-Raḥmān al-Mu‘allimī (Makkah, 1386/1966).<sup>3</sup> Al-Khaṭīb's following statement in *al-Jāmi‘* serves as his initial justification:

‘Should there be conflicting features concerning the biography of a person where goodness and badness, virtues and vices were simultaneously reported, it is incumbent upon him (the chronicler) to record everything and transmit them altogether. He should mention them completely and make them known (to the objective audience of his work).’<sup>4</sup>

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<sup>1</sup> He stated, ‘I will encourage who possesses a bright mind and a moderate character to pursue *tafaqquh* ... and I will speak about the sources of *fiqh* (*Uṣūl al-Fiqh*) ... and the decorum (*ādāb*) for the *faqīh* and the student of *fiqh* ... in a manner that will bring benefits to those who comprehend it and blessed to act upon it.’ *FWM*, 71.

<sup>2</sup> *Iqtidā‘*, 31.

<sup>3</sup> See the series: al-Kawtharī, *Ta’nīb al-Khaṭīb* (Dār al-Bashā’ir al-Islāmiyyah, 1990), al-Mu‘allimī, *Ṭalī‘at al-Tankīl* (Dār ‘Ālam al-Fawā'id), al-Kawtharī, *al-Tarḥīb bi-Naqd al-Ta’nīb* (Dār al-Bashā’ir al-Islāmiyyah, 1990), al-Mu‘allimī, *al-Tankīl* (Beirut: al-Maktab al-Islāmī, 1986).

<sup>4</sup> *al-Jāmi‘*, 2:202.

This should be taken into consideration alongside other principles such as his rules of narrators-criticism presented in *al-Kifāyah*.

## 4.2 Polemical Background of the Works

### 4.2.1 Elegant and Significant Scholarship

Alongside the journey of the intellectual culture in Baghdād, al-Khaṭīb's writings depict a resolute struggle of traditional scholarship to retain its elegance and significance. His treatise on the question of astrology, *Risālat al-Nujūm*, shows a noticeable competition between disciplines and areas of interest within that cultured society. Even inside the circle of traditional scholars, legal studies prove to be more attractive than the study of transmission and its history. Al-Khaṭīb commented after a long experience of traversing the Muslim cities:

'Should you observe carefully, you will realise that there is no city amongst the *buldān al-Islām* (cities governed by Muslims) except that there is a *faqīh* (jurist) or student of jurisprudence to whom people can refer in their affairs and rely on their opinions. However, you will find many of these cities are in absence of a fellow of *ḥadīth* who knows deeply its subjects and becomes an expert in the field.'<sup>5</sup>

By portraying this state of affairs, al-Khaṭīb, certainly, was visioning a higher standard of expertise than the prevailing *ḥadīth* scholarship in those cities.

On the theological plane, al-Khaṭīb was irritated by some Baghdādian Mu'tazilī perception, which was employed to portray *ḥadīth* scholarship as marginal, less meaningful or uncritical.<sup>6</sup> A derogatory tag, *ḥashawiyyah*, was applied to outburst this perception. Modern studies affirm that this tag was commonly identified with *aṣḥāb al-ḥadīth*, particularly the followers of Ibn Ḥanbal. Al-Khaṭīb recounted the Baṣran Mu'tazilī, al-Jāḥiẓ assigning it to them, which carries a similar connotation with his other tag, *nābitah*.<sup>7</sup> A Mu'tazilī contemporary, al-Ḥākim al-Jushamī asserts that the opponents assumed the names *ahl al-ḥadīth* and *ahl al-*

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<sup>5</sup> Ibid, 1:112.

<sup>6</sup> He calls them *al-Mu'tazilah al-Qadariyyah*. Ibid, 2:180.

<sup>7</sup> TMS, 14:125.



*sunnah wa al-jamā'ah* when they were *al-ḥashwiyyah al-nābitah*.<sup>8</sup> Wadād al-Qāḍī studied the use of these pejorative nicknames by al-Jāḥiẓ and others to denote an infuriating rebellion from inferior dissenters, which surprisingly challenges the superior group.<sup>9</sup> From the general Mu'tazilī theological point of view, *ḥashawīyyah* are identified with those who advocate the doctrine of *bi-lā kayf* regarding the Divine attributes, the eternity of the Qur'ān and predestination. Didactical and literal affirmation in these subjects were perceived as transmitting speeches i.e. traditions or knowledge meaninglessly.<sup>10</sup> This coalesces with the assertion of al-Khaṭīb's oft-cited source Ibn Qutaybah who ascribed to Mu'tazilah the use of these tags and several others such as *mujabbirah*, *jabriyyah* (both indicate predestination), *ghuthā'* and *ghuthar* (indicating worthless unsophisticated mass) against the transmitters of *ḥadīth*.<sup>11</sup> More importantly, *al-hashw* was equated with *al-waḍ'u* (ascribing fabricated *ḥadīth* to the Prophet).<sup>12</sup>

Similarly, the tag *al-hashw* has been used by the *fuqahā'*. The Ḥanafī al-Jaṣṣāṣ employs it when he rejected al-Bukhārī's heedless narration of the Prophet being bewitched.<sup>13</sup> The Ash'arī-Shāfi'ī al-Juwaynī (478/1085) later used it against the Ḥanbalīs and the scribes of *ḥadīth*.<sup>14</sup> This is not new with regard to students. One century ago, the leading traditionist Abū Khalīfah al-Jumaḥī (305/917) called students of *ḥadīth* as *ghuthā'* (scum).<sup>15</sup> Al-Khaṭīb himself criticised the cult of accumulating books without studying them, citing a poet who depicts this act as

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<sup>8</sup> al-Ḥākim al-Jushamī, *Sharḥ 'Uyūn al-Masā'il* (MS Ṣan'ā', Maktabah al-Jāmi' al-Kabīr, 'Ilm al-Kalām 99), vol.1, fol. 27(b).

<sup>9</sup> Wadād al-Qāḍī, "The Earliest 'Nābita' and the Paradigmatic 'Nawābit'," *Studia Islamica* 78 (1993): 27–61. Earlier: A. S. Halkin, "The Ḥashwiyya," *Journal of the American Oriental Society* (1934): 1–28.

<sup>10</sup> al-Jushamī associated the Ḥashawīs with the view that some of the Qur'ān was revealed for ritual recitation, instead of having a meaning. See: 'Adnān Zarzūr, *al-Ḥākim al-Jushamī wa-Manhajuhu fī al-Taḥqīq* (Beirut: Mu'assasah al-Risālah, 1971), 233.

<sup>11</sup> *Ta'wīl Mukhtalif al-Ḥadīth* (Mu'assasah al-Ishrāq, 1999), 136.

<sup>12</sup> *FWM*, 2:151, *ibṭāl wa ikfār al-mutakallimīn li al-muḥaddithīn*.

<sup>13</sup> al-Jaṣṣāṣ, *Aḥkām al-Qur'ān* (Beirut: Dār Iḥyā' al-Turāth, 1992), 1:60.

<sup>14</sup> al-Juwaynī, *al-Burhān fī Uṣūl al-Fiqh* (Cairo: Dār al-Anṣār), 1:606

<sup>15</sup> al-Qiftī, *Inbāḥ al-Ruwāḥ 'alā Anbā' al-Nuḥāḥ* (Cairo: Dār al-Fikr, 1986), 3:5.

stuffing cottons inside a pillow (*hashwuhā hashwu al-masāwir*). He also criticised the cult of possessing a huge collection of *ḥadīth* without any intellectual significance. Al-Ḥāfiẓ ‘Abd Allāh ibn Idrīs (192/808), Mālik ibn Anas and ‘Abd al-Razzāq were all cited to indicate that possessing enormous collections of *ḥadīth* is a sign of madness and those collections could be entirely malicious.<sup>16</sup>

The emergence of Ash‘arism, to a significant extent, divided the fellows of *ḥadīth*. The Mu‘tazilī ‘Abd al-Jabbār still considered all of them, and those who uphold literal affirmation such as the belief in the thread-like sharpness of the *ṣirāṭ* (Afterlife Bridge), as Ḥashawīs.<sup>17</sup> Ibn Fūrak explained the nature of the division by mentioning two groups amongst *aṣḥāb al-ḥadīth*; those who transmit traditions, and those who exercise speculation and engage in disputation (*nuzzār* or *fuqahā’ aṣḥāb al-ḥadīth*).<sup>18</sup> Prior to him, Ibn Khallād al-Rāmhurmuzī wrote a treatise discerning between *riwāyah* (transmission) and *dirāyah* (understanding) applying the terms *rāwī* (transmitter) and *wā’ī* (conscious tradent).<sup>19</sup> According to the study by Rachael-Omarī, it harbours a refutation against the accusation of *al-hashw* made by the Mu‘tazilī Abū’l-Qāsim al-Ka‘bī al-Balkhī (319/913). El-Omarī admits that al-Ka‘bī had to accommodate the compelling argument of *ḥadīth* movement and involve in the scholarship himself.<sup>20</sup> Prior to him, al-Jāḥiẓ who boasted the epithet *ashraf ahl al-ḥikmah* was uncertain in his stance concerning Shāfi‘ism that propagated both authentication and comprehension, and combined *ḥadīth* and *fiqh* in the concept of *ḥikmah*.<sup>21</sup>

Ultimately, for al-Khaṭīb, traditional scholarship remains elegant and significant as long as its fellows combine the appropriate aspects of scholarship. He quoted the traditionist Abū ‘Āṣim al-Nabīl’s mock that headship in *ḥadīth* without

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<sup>16</sup> *Sharaf al-Aṣḥāb*, 128-129.

<sup>17</sup> ‘Abd al-Jabbār, *Sharḥ al-Uṣūl al-Khamsah* (Cairo: Maktabah Wahbah, 1996), 727.

<sup>18</sup> *Mujarrad*, 10.

<sup>19</sup> See: al-Rāmhurmuzī, *al-Muḥaddith al-Fāṣil bayna al-Rāwī wa’l-Wā’ī* (Beirut: Dār al-Fikr, 1771).

<sup>20</sup> Rachael-Omarī, “Accommodation and Resistance: Classical Mu‘tazilites on Ḥadīth,” *Journal of Near Eastern Studies* 17:2 (2012): 231-256.

<sup>21</sup> *Kitāb al-Ḥayawān*, 1:216.

*dirāyah* is shameful.<sup>22</sup> The whole treatise of *al-Jāmi'* was advanced to synthesise those aspects. Addressing the people from all fractions but particularly students of *ḥadīth*, he said in *al-Faqīh*:

'I pen down in this book, addressing any fellow of *ḥadīth* particularly and other people generally, a sincere advice from myself, as a sign of my heartfelt care for them, that a person should distinct himself from becoming an individual who is happy to live in ignorance and who does not seek any meaning to include himself in the fold of the people of noble vantage.'<sup>23</sup>

Nevertheless, he reminded the scholars and students of the requirement of elegance citing Plato who said: 'The lover of *sharaf* is the one who exerts himself with constant revision of his knowledge.'<sup>24</sup>

#### 4.2.2 Mediocre and Inexperienced Scholars

The narrative al-Khaṭīb constructed in the beginning of *al-Jāmi'* shows an attempt to relate meaninglessness with mediocrity and to shift the notion of *al-ḥashw* to the fold of non-real-experience scholarship. Al-Khaṭīb recounted in the beginning of *al-Jāmi'* how the Caliph al-Ma'mūn unmasked a claim of expertise in *ḥadīth* by a person who was not able to produce any *ḥadīth* pertaining to a certain topic during inspection.<sup>25</sup> The image of royal inspection is used to magnify the occurrence of the story and the emphasis on recognising *ḥadīth* according to chapters in the story alludes to the problem of meaninglessness. Next, it was related to mediocrity and lack of vast experience through the statement of Ibn Ḥanbal mentioned afterwards. The statement prescribed more than three hundred thousand *ḥadīth* for a merit of *ḥadīth* mastery. The figure of Ibn Ḥanbal himself was powerful enough to curb any presumed meagre Ḥanbalite tendency that stands against the experienced *ḥadīth* scholars. Prior to these accounts, al-Khaṭīb had already connected between mediocrity and the inability to appropriate traditions in chapters. He stated:

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<sup>22</sup> *al-Jāmi'*, 2:180.

<sup>23</sup> *FWM*, 2:152.

<sup>24</sup> *Ibid*, 2:206.

<sup>25</sup> *al-Jāmi'*, 1:76.

‘A person amongst them after jolting down several folios of traditions and attending aural sessions a couple of times claims himself *ṣāhib ḥadīth* (expert on *ḥadīth*), even though he had yet to exhaust himself in studying them and had not faced the difficulties in memorising them and placing them in corresponding chapters.’<sup>26</sup>

The narrative is actually a prolonged critique that al-Khaṭīb advanced in his many works. He had already criticised several phenomena amongst *ḥadīth* enthusiasts such as boasting upon superior *isnāds*, seeking rare traditions without any real significance, collecting books without performing actions, repeating traditions in sessions whilst unaware of the verification and implication in the bigger framework of scholarship, etc. Al-Khaṭīb portrayed that these were executed mainly by the *aḥdāth* (immatures) within the intellectual circles.<sup>27</sup> They came out with strange works and amazing features, yet most of them are fabricated and possess no real benefit. Al-Khaṭīb asserted:

‘Due to these phenomena, many students of *ḥadīth* are distracted from pondering the meanings of knowledge and structuring its significance. The students of law in our time have subsequently done the similar thing and followed the same direction. They turned away from listening to traditionists and occupied themselves with the works of [non-traditional] theologians. What a pity that both circles are losing what is meaningful to them and heading towards non-beneficial ends.’<sup>28</sup>

Elsewhere, al-Khaṭīb assigned these attitudes to the heretics. Despite his lenient stance on narrating from heretics in *al-Kifāyah*, al-Khaṭīb advised seekers of knowledge to avoid listening from them in *al-Jāmi‘*.<sup>29</sup> This advice is clearly affirming the narrative of mediocrity and inexpertness he attempted to construct in the latter, since *al-Kifāyah* is meant for the near-expert level. After presenting the prophetic tradition that associates the signs of End of Time with seeking knowledge from *aṣāghir* (ignoble individuals), al-Khaṭīb quoted Ibn al-Mubārak’s interpretation that *aṣāghir* refers to heretics. The identification of heretical subjects is far more complex than a mere reference towards certain sects; however, at this point in *al-*

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<sup>26</sup> *al-Jāmi‘*, 1:75.

<sup>27</sup> *Sharaf al-Aṣḥāb*, 129.

<sup>28</sup> *Ibid*, 130.

<sup>29</sup> *al-Kifāyah*, 1:310, cf. *al-Jāmi‘*, 1:137.

*Jāmi'*, a narrative is constructed to denote inexperienced scholars or unsophisticated scholarship. In his Mu'tazilī professor's biography, Abū'l-Ḥusayn al-Baṣrī, al-Khaṭīb reported: 'He narrated only one *ḥadīth*. I asked him about it and he related it from memory.'<sup>30</sup> Even though he did not identify al-Baṣrī with heresy, the treatment is extremely economical in contrast to *ḥadīth* scholars. This is the image of almost all Mu'tazilī thinkers he included in *Tārīkh*. On the upmost edge, heretics were also portrayed as attempting to abuse *ḥadīth* for their campaigns through fabricating *ḥadīth*.<sup>31</sup> Al-Khaṭīb reminded the students that they should distance themselves from embracing the abovementioned attitudes for those are the doors towards heresy.

Through this narrative, al-Khaṭīb aimed to elevate the status of real scholars, particularly *ḥadīth* and *fiqh* scholars and to protect their scholarship from the harsh and demeaning attacks of both the immatures in *ḥadīth* and the opponent of *ḥadīth*. Concerning the immatures, al-Khaṭīb remarked:

'In spite of their underdeveloped compilation and understanding, they appear extremely arrogant, easily tempted and boastful, and they do not respect any teacher and do not hold dear any student. They distort the credibility of narrators and act harshly before those who come to learn.'<sup>32</sup>

This problem has convinced him to compose a methodological guide for real scholarship.

#### 4.2.3 The Spiritual-Methodological Depravity

Meaningful scholarship cannot be personified with the absence of purified insights attained through the edification of the heart. Al-Khaṭīb underlined this article citing Ibn Khallād who states that there is no goodness in *fiqh* without *wara'* (piety).<sup>33</sup> Beforehand, he had provided several recounts for 'Alī ibn Abū Ṭālib's statement:

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<sup>30</sup> *TMS*, 4:168.

<sup>31</sup> *al-Jāmi'*, 1:137.

<sup>32</sup> *Ibid*, 1:77.

<sup>33</sup> *FWM*, 2:340.

‘There is no goodness in knowledge without the understanding of its meaning, no goodness in the understanding without pious abstinence, and no goodness in reading without insight (*tadabbur*).’

Internalising this view, al-Khaṭīb’s treatment of the method of travelling (*riḥlah*) to seek knowledge, for instance, illustrates the insightful recognition of the rights of multiple sides and the best attitudes in many aspects. To al-Khaṭīb, only through the building of the right insight one could attain the benefits of knowledge.<sup>34</sup> His exposition, thus, includes: the right reason for travel, the right of the existing scholars in one’s hometown, the right model, the right of the parent, the right of the spouse, the right economic condition for a traveller, the right travel companion, the right of God in seeking permission to travel, the right day, the right of the left friends and acquaintances, the right word to say during farewell, the right attitudes towards the travel companion, the right of the destination and its denizens, and the right returning conduct.<sup>35</sup> All these, despite ethical, are included in the method of seeking *ḥadīth* in *al-Jāmi’*. Spiritual insight is connected intimately with methodological accuracy and moral conduct.<sup>36</sup>

On this account, one can apprehend al-Khaṭīb’s grief expression of the moral depravity amongst the devotees of *ḥadīth* of his time as he wrote:

‘While what was supposed to be seen amongst students of *ḥadīth* is that they shall be the most perfect human in *adab* (insightful attitude), the humblest amongst the creation, the best model of chastity and religiosity, and the most difficult to turn overhasty and outrageous.’<sup>37</sup>

Regardless of various possible polemics behind this statement, particularly his encounter with the Ḥanbalīs, theoretically al-Khaṭīb dreamt in general of a safe and harmony intellectual discourse. He stressed the importance of leniency and gentle words in all his treatments on disputation. Having lived within the Islamic community, al-Khaṭīb said in *Kitāb al-Faqīh*:

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<sup>34</sup> *Iqtidā’*, 31.

<sup>35</sup> *al-Jāmi’*, 2:223-248.

<sup>36</sup> See al-Khaṭīb’s explication of removing worldly attractions (*ḥadhf al-‘alā’iq*) including getting married at an early stage. He provided as well accounts of scholars being destitute and poor. *al-Jāmi’*, 1:101-105.

<sup>37</sup> *al-Jāmi’*, 1:78.

‘A *faqīh* should attune his tongue with soft words and adorn his character with gentleness while providing questions and answers. This should be his attitude with all, the Muslim community and the people of *dhimma* (non-Muslim residences).’<sup>38</sup>

In *al-Jāmi‘*, he included a section on a traditionist applying gentle speech and being careful in his choice of words.<sup>39</sup> He appealed to the story of the Follower Sa‘īd ibn Jubayr who was asked: ‘If a Magian greets me with peace, should I reply?’ Sa‘īd related that Ibn ‘Abbās said: ‘Even if the [tyrant] Pharaoh greets me with good word, I will honour him.’<sup>40</sup> Similarly, al-Khaṭīb’s concern for teachers being amiable to students is evident in both works.<sup>41</sup> All these point out a certain moral problem he must have faced inside the metropolitan city.

Furthermore, al-Khaṭīb had also offered an advice to curb commercialised scholarship. He asked students to seek economical stability at an individual or family level before proceeding to learn *ḥadīth*. This reflects his compromised solution for the forbiddance of taking payments for dictating *ḥadīth* or giving juridical opinion amongst the *aṣḥāb al-ḥadīth* as ascribed broadly to them by Melchert.<sup>42</sup> For al-Khaṭīb, all that leads towards moral aberration should be solved or eliminated for these depravities invite negative impressions and corrupt methodological accuracy. One who is no longer able to dictate *ḥadīth* due to old age is encouraged to stop from doing so, for it may trouble the whole scholarship.<sup>43</sup>

#### 4.3 The *Naḍrah* Tradition

Despite the above-mentioned problems, al-Khaṭīb having been trained in *ḥadīth* studies, finds a useful tradition to fashion his methodological framework. This tradition, which will be called *naḍrah* (radiant face or self) tradition, reads:

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<sup>38</sup> FWM, 2:230.

<sup>39</sup> *al-Jāmi‘*, 1:403.

<sup>40</sup> FWM, 2:230.

<sup>41</sup> *al-Jāmi‘*, 1:343, FWM, 2:237.

<sup>42</sup> *al-Jāmi‘*, 1:97-100, Melchert, *Formation*, 29-30.

<sup>43</sup> *al-Jāmi‘*, 2:153.

‘God makes radiant those who heard our article, recognise it, safeguard it, and transmit it to others. Perchance a *ḥāmil* (carrier) of *fiqh* (this article) is not a *faqīh* (one who comprehends it). Perchance a carrier of *fiqh* (the article) leads it to one who is *afqah* (possess higher or better level of insight).’

Al-Khaṭīb had a dedicated work on evaluating this Prophetic tradition as he mentioned in *Kitāb al-Faqīh* and other works.<sup>44</sup> Our retracement shows that the tradition was recorded in more than fifty *ḥadīth* works with the earliest being the *Musnad* of al-Ḥumaydī (219/834), a teacher of al-Bukhārī.<sup>45</sup>

In line with Ibn Fūrak’s division of *aṣḥāb al-ḥadīth*, al-Khaṭīb exploits this tradition to support the legitimacy of specialisations. Already in *Sharaf*, one may observe an implicit invitation to the study of *fiqh*. Two things prove this observation: (1) the expansion of the concept of *ḥadīth* in its exordium to include genres such as *tafsīr*, history, stories of saints and ascetics, opinions of jurists, etc., and (2) the citation from leading jurists and the mention of virtues of jurisprudence in the work.<sup>46</sup> His work, *Naṣīḥat*, further affirms this argument. He asserts that ‘one should not be satisfied at being a mere transmitter or tradent (*wa-lā yaqtani‘ bi-an yakūn rāwīyan wa-muḥaddithan faqat*).’<sup>47</sup> One should advance forward to the study of *fiqh*. Yet, the *fiqh* al-Khaṭīb was referring encompass the study of positive laws as he defined in the beginning of *Kitāb al-Faqīh* and the broader concept of Islamic knowledge as he propounded in the chapter on *Faḍl al-‘ilm wa al-‘ulamā’* (the advantage of knowledge and scholars). He even ascribed *fiqh* to the sphere of sainthood. Al-Khaṭīb said:

‘God has made knowledge the means of His saints (*awliyā’*) and He safeguards through it the select amongst His servants (*aṣfiyā’*)... In safe-carrying it, fellows of knowledge are similar to one another. However, they differ in constructing its meaning (*fī istinbāt fiqhihi mutabāyinūn*). For this reason, the Prophet uttered [the *naḍrah* tradition].’<sup>48</sup>

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<sup>44</sup> FWM, 2:140, *al-Jāmi‘*, 2:301, *Sharaf al-Aṣḥāb*, 17, *al-Kifāyah*, 1:438.

<sup>45</sup> al-Ḥumaydī, *Musnad* (Damascus: Dār al-Saqā, 1996), 1:200 (88).

<sup>46</sup> *Sharaf al-Aṣḥāb*, 77, 79, 125-126.

<sup>47</sup> *Naṣīḥat*, 31.

<sup>48</sup> FWM, 2:139. Cf. his professor’s work *Ḥilyah al-Awliyā’ wa Tabaqāt al-Aṣfiyā’*.



The spiritual feature of sainthood, indeed, resonates with the mention of radiant light in the beginning of the tradition. However, al-Khaṭīb needed to address the aforementioned problems. This tradition usefully provides for him three categories of scholar: (1) *ḥāmil fiqh laysa bi faqīh* (a knowledge-bearer who does not involve in comprehension), (2) *ḥāmil fiqh wa-huwa faqīh* (a bearer who exercises comprehension), and (3) *ḥāmil fiqh ilā man huwa afaqah* (an insightful bearer who transmits to the one with better comprehension). The second category was not mentioned in the text; however, it is inferred from the third.

By having the first category, all tasks that could be related to the act of transmitting texts are included under the rubric of *ḥaml* (carrying), i.e. the activities of *katabat al-ḥadīth* (scribes), *raḥalah* (seeking-travellers), *naqalah* (transmitters), the *jāmi'ūn* (compilers) and the *muḥaddith* (tradent), irrespective of their involvement in the interpretation of texts. This could be further vitalised by a number of traditions bearing the notion of *ḥaml al-ilm* (carrying knowledge).<sup>49</sup> This attribute also encompasses carriers from all *madhāhib* except those that allow for intentional fabrication.<sup>50</sup>

Al-Khaṭīb, then, constructs his vision of the combination between tradition and speculation. However, the *ḥamalah* of his time transgressed in their attacks on men of speculation. He grumbled:

‘All of these negativities occurred because those of our time [the *ḥamalah*] have little insight on what they have gathered, and did not comprehend what they have heard and recorded. Then, they prevented themselves from attending the lectures of the *fuqahā'*, they criticised the appliers of *qiyās* amongst the scholars ... they were not able to distinct between praiseworthy and blameworthy speculation. They rushed to the conclusion that speculation is forbidden entirely. However, when new unprecedented cases (*nawāzil*) transpire, they followed blindly the appliers of speculation, and relied completely on their statements and opinions. By so doing, they annulled their own positions and permitted what they have previously

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<sup>49</sup> *ḥamalāt al-Qur'ān wa al-aḥādīth. Sharaf-al-Aṣḥāb*, 31, FWM, 2:140, *yaḥmilu al-ḥadīth man yakūn lahu ḥāfiẓā, wa-lā yakūn fīhi faqīhā*.

<sup>50</sup> *al-Kifāyah*, 1:302-310.

forbid. Such people deserve hideous words and deserve to be defamed with all kinds of vilification.<sup>51</sup>

Al-Khaṭīb emboldened the self-contradictory attitude of the traditionalists. He appeared to be facing modern subjects where traditionalists relied on scholars they had harshly criticised for dealing with speculations. Frustrated with *naqalat al-ḥadīth* (transmitters)<sup>52</sup> of his time, he boasted the good name of early luminaries such as Mālik, al-Awzā'ī (157/774), Shu'bah, al-Thawrī, Ibn al-Qaṭṭān (198/813), Ibn Mahdī, Ibn al-Madīnī (234/849), Ibn Ḥanbal and Ibn Ma'īn.<sup>53</sup> This list proves that the above statement was addressed to rigour *ḥadīth* critics of his time; for he had excluded many other *imams*, especially al-Shāfi'ī, who was not of their main interest. According to al-Khaṭīb, the condition of *ḥadīth* learning has undergone the same situation as *taṣawwuf* where the attitudes of later associates tarnished the name of former luminaries. This criticism also proves al-Khaṭīb's thought and construction of the second category.

Nonetheless, both sides may still contest him, for those in his list were not well known of speculation either. Al-Khaṭīb's inclination to the *fuqahā'* transpires at this point. Firstly, being a traditionalist himself, he forthrightly remarked that the heretics who criticised and rejected the later *ḥamalah*, who emulated the former *muḥaddith*, were making a grave mistake. The *naḍrah* tradition evidently preserves their right of mere transmission. They deserve their sanctity and their rights should be fulfilled by listening and taking *ḥadīth* from them (*inna lahum ḥurmat tur'ā, wa-ḥaqq yajibu an yu'addā*). Consequently, calling fellows of *ḥadīth* as *ḥashawīyyah* is a sign of either ignorance or arrogance (*'āmmiy jāhil aw khāṣṣiy mutaḥāmīl*).<sup>54</sup>

However, he returned back to venerate *fiqh* and inform that *fiqh* is of multiple degrees. His list of traditions afterwards contains two markers of this

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<sup>51</sup> FWM, 2:140.

<sup>52</sup> The use of this tag by him sometimes bears a diminishing connotation. See: TMS, 15:502.

<sup>53</sup> These names are also present in al-Khaṭīb's list of sixteen personages "so widely recognised as sound and reliable that one cannot dispute the integrity of [their] probity" which Scott Lucas adopted as al-Khaṭīb's list of *Sunni ḥadīth* critics. The list was taken from a chapter in *al-Kifāyah* and al-Shāfi'ī was not present in the list as well. See: *al-Kifāyah*, 1:242, Lucas, *Constructive*, 117.

<sup>54</sup> FWM, 2:142.

thought: (1) The encouragement of seeking knowledge from the elders, and (2) the illustration that *fiqh* is a life-long learning activity.<sup>55</sup> This narrative implicitly supports the last part of the tradition where there is a mention of *faqīh* and *man huwa afqah*, i.e. wise and wiser. According to a tradition al-Khaṭīb recounted, a *faqīh* must constantly seek for knowledge and raises his degree until he meets the Prophet Muḥammad where there is no gap left between a *faqīh* and all the prophets except the attribute of Prophethood.<sup>56</sup> In doing so, al-Khaṭīb forced the jurists to always seek for knowledge and practice, accompanied by *ḥadīth*, until the end of life.

In summary, al-Khaṭīb managed to construct from the *naḍrah* tradition the interdependency between different areas of expertise. The combination of *ḥadīth*, *fiqh* and constant speculation or revision of knowledge coalesces soundly with his assertion that *ijtihād* is to exert oneself industriously in requesting knowledge (*badhl al-majhūd fī ṭalab al-‘ilm*).<sup>57</sup> Despite the presence of technical definition of *ijtihād* germane to legal practice, al-Khaṭīb illustrates through his treatment of the *naḍrah* tradition that every area of expertise has its own respectful *ijtihād* and a *mujtahid* is a faithful expert who continuously exercises challenging speculation and revision of his knowledge (*al-mujtahid mukhāṭir*).<sup>58</sup> This application of *ijtihād* was largely ignored in some Western discourse on the subject.<sup>59</sup> Ultimately, it substantiates three major paradigms in al-Khaṭīb methodological framework of *ijtihād*.

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<sup>55</sup> Ibid, 2:152-158.

<sup>56</sup> Ibid, 2:165.

<sup>57</sup> Al-Khaṭīb defines *ijtihād* in the same sense of Latin *experiens*, which denotes industriousness. This will prove useful to appreciate a *mujtahid* as an expert.

<sup>58</sup> *al-Jāmi‘*, 1:115.

<sup>59</sup> I have not encountered any study on the concept of *ijtihād* in the evaluation of *ḥadīth*. See FWM, 1:362, *wa’l-ijtihād fī khabar al-wāḥid innamā huwa fī thubūt ṣidq al-rāwī*.

## 4.4 Major Paradigms in the Methodological Writings

### 4.4.1 The Traditional *Isnād* Paradigm

William Graham has systematically elaborated the connection between traditionalism and isnād paradigm.<sup>60</sup> Its main element is the sense of connectedness or as Graham coins its Arabic term, *ittiṣaliyyah*. Four main criteria of traditionalism that he enumerated found their parallels in al-Khaṭīb's writings as evidenced in the previous chapter. These are: (1) the *isnād* paradigm (2) the *rijāl* (transmission biographical) works (3) the personal transmission of knowledge, and (4) the *ijāzah* system. Several other manifestations of *isnād* paradigm Graham proposes, which are Ṣūfī affiliation, Shī'ī attachment to the prophet's lineage and Sharifism, would require a further study. This section concerns the assiduousness of al-Khaṭīb's immersion in this paradigm regarding the broader epistemological framework.

In his reading of al-Khaṭīb's attitude to writing knowledge, Paul Heck suggests that al-Khaṭīb allows two approaches to knowledge; (1) for *ḥadīth*-related knowledge, which is epistemologically validated by the *isnād*, and (2) for all other knowledge, which can be appreciated without *isnād*.<sup>61</sup> Al-Khaṭīb once again borrows the Ṣūfī Yūsuf al-Rāzī's saying, 'the *isnād* of [philosophical human] wisdom (*ḥikmah*) is *wujūduhā* (its existence)'.<sup>62</sup> According to Heck, al-Khaṭīb connected this saying with Ibn al-Mubārak's approval for exhortation found in books to legitimise the use of books with regards to knowledge not related to *ḥadīth*. Human wisdom has no authority apart from itself and such knowledge is validated by its effectiveness as wisdom. Al-Khaṭīb's citation, however, is ambiguous in its embodiment of the idea of *wujūd*. In the previous chapter, it is learned that he owes a huge deal to the theologian use of self-realisation (*al-wujd*). The above Ṣūfī's quote, however, should be learned in the sense of *al-ilhām wa'l-wijdān* (inspiration and intuition). This necessitates a study on al-Khaṭīb's position with regard to the Ṣūfī path to

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<sup>60</sup> William Graham, *Traditionalism in Islam ...* (cited earlier).

<sup>61</sup> Heck, *Epistemological Problem*, 92.

<sup>62</sup> *al-Jāmi'*, 2:213.

knowledge.<sup>63</sup> Nevertheless, it is sufficient to appreciate here that *isnād* is epistemologically essential in particulars of religion for they are outside human direct experience. Should the Prophet leave a book on his *Sunnah*, there will be no need for an *isnād* except for the blessings of attachment.<sup>64</sup>

Al-Khaṭīb names the subjects that require *isnād* as *masā'il shar'iyyah* (*shar'i* propositions).<sup>65</sup> All these propositions must be brought to the epistemological ground of *riwāyah*. In *al-Jāmi'*, he listed the subjects and works that must be recorded with *isnād*; *ḥadīth* collections of all degrees, *riwāyāt* in *tafsīr* (Qur'anic exegesis), in *maghāzī* (Prophetic campaigns), in *qirā'āt* (Qur'anic Readings), ancient poems, biographical data, statements of *ḥadīth* critics, versions and repeated copies of *ḥadīth*, and *isnād* variants. As for historical accounts of the righteous and the ascetics, exhortations of the eloquent, and wisdom of the well educated, *isnād* serves merely as a decoration.<sup>66</sup>

Within Sunnism, the strictest adherence to *isnād* paradigm is demonstrated by critical rigorism and the incipient *Ṣaḥīḥayn* paradigm studied by Brown.<sup>67</sup> Nevertheless, al-Khaṭīb's adoption of epistemological dualism and pragmatism has been successfully shown by Heck, which exemplifies in his verbal approval for *isnād*ic and non-*isnād*ic knowledge, as well as direct oral transmission (*samā'*) and indirect written permission (*ijāzah*) at the same time.<sup>68</sup> To add to Heck's observation, al-Khaṭīb's propagation of both *āthār/ārā'* (traditions/speculations), and *khbar al-āḥād/qiyās al-āḥād* (*dictum/derivatum*) should be emphasised.<sup>69</sup> It

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<sup>63</sup> See Chapter Seven.

<sup>64</sup> In later centuries, this point was made clear by al-Suyūṭī as all *ḥadīths* had been recorded in books. Al-Suyūṭī, *Tadrīb al-Rāwī* (Riyadh: Maktabah al-Kawthar, 1994), 1:402-403.

<sup>65</sup> *FWM*, 1:424.

<sup>66</sup> *al-Jāmi'*, 2:182-214.

<sup>67</sup> Jonathan Brown, "Critical Rigor vs. Juridical Pragmatism: How Legal Theorists and Hadith Scholars Approached the Backgrowth of Isnads," *Islamic Law and Society* 14:1 (2007): 1-41.

<sup>68</sup> See Chapter Six.

<sup>69</sup> He quoted the *muḥaddith* Ibn al-Mubārak and the *qāḍī* Yaḥyā ibn Aktham, both stipulating knowledge on *āthār* and *ārā'* for criteria of a *muftī*. *FWM*, 2:332-333.

proves that for him, the traditional *isnād* paradigm was historically imposed as the path to attaining the *ma'nā* (Divine intended meaning).

#### 4.4.2 The Rational *Ma'nawī* Paradigm

Al-Khaṭīb's most lucid expression of this paradigm epitomises in this statement:

'Know that the magnified accumulation of *ḥadīth* does not turn a person into a *faqīh*, for the real *fiqh* is attained through the excavation of in-depth meanings (*istinbāṭ al-ma'ānī*) and a committed thinking (*in'ām al-tafakkur*) on them.'<sup>70</sup>

It is furthermore committed in his powerful statement:

'Know that all sciences are seeds for *fiqh* (*al-'ulūm kulluhā abāzīr li'l-fiqh*). There is no science below the *fiqh* except that the seeker of that science requires what is lesser than what is required by a *faqīh*, for the *faqīh* needs to cling himself to a portion of knowledge from every matter of this world and the hereafter.'<sup>71</sup>

These two statements reflect a significant opposite to the signs of division between *aṣḥāb al-ḥadīth* and *aṣḥāb al-ra'y* presented by Melchert. For the practical aspect, Melchert states that legal stratagem (*ḥīlat*, pl. *ḥiyal*) was one bitter point of contention between the two sides. Ibn Ḥanbal was against *ḥīlat* and typically *Kitāb al-Ḥiyal*. They were generally known as features of Hanafism.<sup>72</sup> Nevertheless, al-Khaṭīb authored a work with the same title possibly to support it. He had provided a section on *ḥīlah* in *Kitāb al-Faqīh* promoting first the nobility and genius of Abū Ḥanīfah and Abū Yūsuf in their legal stratagem before mentioning the creativity of

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<sup>70</sup> *Naṣīḥat*, ٣٧.

<sup>71</sup> *FWM*, 2:333.

<sup>72</sup> Melchert, *Formation*, 9.

al-Shāfi‘ī.<sup>73</sup> Although he changed the referential noun into *al-tamahḥul* (striving for a good strategy), it embodies the same concept of *ḥiyal*.<sup>74</sup>

Melchert had also associated the traditionalists with *mudhākarah* and the rationalists with *munāẓarah*.<sup>75</sup> Some traditionists, he argued, might engage with *munāẓarah* before the conversion to traditionalism, but Baghdādīan traditionalists in particular rejected *munāẓarah*.<sup>76</sup> Again, al-Khaṭīb approved both *mudhākarah* and *munāẓarah*. In *al-Jāmi‘*, he specified a section on the importance of *mudhākarah*.<sup>77</sup> The previous chapter has threaded the background of his view on *al-naẓar wa’l-istidlāl*. Apart from his multi-patterned emphasis on *naẓar* in the above sections, al-Khaṭīb had a dedicated chapter on *munāẓarah* in *Kitāb al-Faqīh*. From this chapter, it is learned that his *ma’nā* is of two types: (1) *ma’nā fiqhī* (meaning derived from traditional sources) and (2) *ma’nā naẓarī* (meaning derived by human speculation). According to al-Khaṭīb:

‘The best and the most powerful debater is the one who replies initially with an intellectual answer (*jawāb naẓarī*) that preserves the rules and principles of speculation. Then, he followed it with an answer that explains the *fiqhī* understanding of the point debated.’<sup>78</sup>

One may conclude here that a *ma’nā* or knowledge could be derived from *naẓar* and *munāẓarah*, and it is, at instances such as intellectual debate, placed higher than a *fiqhī ma’nā*. The preservation of rules and principles of speculation is of a high

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<sup>73</sup> The account he provided shows that Abū Ḥanīfah was better than Ibn Abī Laylā and Sufyān al-Thawrī who cannot find any solution for the problem referred to them by a hater of Abū Ḥanīfah. In spite of that, Abū Ḥanīfah gave the person a perfect solution for his problem. *FWM*, 2:410-414.

<sup>74</sup> *Bāb al-Tamahḥul fī al-Fatwā*. The use of *tamahḥul* could possibly relate to the Qur’anic verse that describes God as *shadīd al-miḥāl*. For the discussion on *ḥilāh* and *tamahḥul* and their different connotations despite morphological relation, see: al-Azharī, *Tahdhīb al-Lughah* (Dār al-Qawmiyyah, 1964), 5:95.

<sup>75</sup> He describes *mudhākarah* as a friendly contest to determine who could recite the most *ḥadīth* reports, or the most chains of authorities for a given text. *Munāẓarah* in contrast, is a formal debate over a point of law or theology practiced by *mutakallimūn* and rationalistic jurisprudents. *Formation*, 18-22.

<sup>76</sup> Melchert did remark, ‘By some accounts, admittedly, even the Baghdādīs engaged in *munāẓarah*.’

<sup>77</sup> *al-Jāmi‘*, 2:267-279.

<sup>78</sup> *FWM*, 2:109.

consideration. The sources of *fiqhī ma'nā* will be explained soon. A concern here is that the mode by which this *ma'nā* is obtained with regard to revelation is either one of two: (1) denomination (*al-ism*) or (2) extraction (*al-istikhrāj*).<sup>79</sup> This recalls immediately al-Shāfi'ī's *naṣṣ* (hermeneutically self sufficient passage) and *istinbāt* (derivation), and according to Lowry too, al-Shāfi'ī's *khābar* (dictated by clear cut text) and *istidlāl* (derived by inference).<sup>80</sup> This dualism of *dictum* and *derivatum* was also replicated in the conclusion of Abū'l-Muẓaffar al-Sam'ānī (489/1096) on the idea of Shāfi'ism when he concluded it as *naṣṣ* and *ma'nā*.<sup>81</sup> The bifurcation was epistemologically evoked by the thought that revelation encompasses all meanings needed by human with regard to God's commandment. When a point of law is not mentioned clear-cut in revelation, imitative reasoning or rationale speculation is applied.

Ultimately, like the idea of the Ash'arīs, the right *naẓār* (speculation) will confirm to the aim intended by revelation. On the same wavelength, al-Khaṭīb asserts:

'As for *ra'y* (rationalisation), it is an act of deducting the objectively correct result. Whoever places *ra'y* at its rightful position and applies *naẓār* rightfully, he will be lead to the sought truth. Just as a person who wishes to go to a mosque, and he chooses the right road and does not turn away from it, he will surely arrive at the destination.'<sup>82</sup>

Hence, in the scheme of al-Khaṭīb, rationality is always conditioned, likewise *ilm* is guided by *dalīl*, and *dirāyah* is guided by *riwāyah*.

Another point to be considered with regard to the cognition of *ma'nā* is that prior to al-Khaṭīb, al-Ash'arī viewed that *ilm* (knowledge), *ma'rifah* (cognition), *yaqīn* (certitude), *fahm* (understanding), *fiṭnah* (sagacity), *dirāyah* (scire), *'aql* (intellect), *fiqh* (apprehension) are in general synonymous.<sup>83</sup> Al-Khaṭīb had also

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<sup>79</sup> FWM, 1:468.

<sup>80</sup> Lowry, *Legal Theory*, 67. See Chapter Five.

<sup>81</sup> *Qawāṭi' al-Adillah fī al-Uṣūl* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1997), 1:22.

<sup>82</sup> FWM, 1:551.

<sup>83</sup> According to him, God is described only by the attribute of *ilm* and not the rest because revelation employs only this attribute. Ibn Fūrak, *Mujarrad*, 11.



applied these words interchangeably outside technical discussions. In the human realm, they all signify the mental cognition of *ma'nā*. The sought *ma'nā*, however, is not the end in itself; rather it is the path towards a certain confessional spiritual progress.

#### 4.4.3 The Spiritual *Darajāt* Paradigm

Muslim scholars cannot advocate the sanctity of the previous two paradigms except by having this third paradigm included, which connects the worldly campaigns and endeavours with the metaphysical realm. Ironically, this idea of *darajāt* or metaphysical degrees is fashioned by the previous two paradigms and it evidently leaves a significant impact on the intellectual framework of a scholarship. This study argues that it is not essentially *isnād/riwāyah* criticism or *matan/dirāyah* criticism that distinguishes between traditional *ḥadīth* critics and the Mu'tazilite *ḥadīth* methodology; rather it is a specific *darajāt* paradigm that every side adopted. As an initial example, the traditional *ḥadīth* critics place all the Companions at the highest *darajāt* after the Prophet so long that whatever appears as contradictory in their reports must submit first to a reasonable hermeneutical temperament, instead of rejection. There is always an assumed higher rationale measure applied by the Companions.<sup>84</sup> Al-Khaṭīb's entry on 'Amru ibn 'Ubayd in *Tārīkh* portrayed Mu'tazilite *ḥadīth* criticism as preconceived tendentious ideological criticism, rather than *matn* criticism. 'Amru rejected Ibn Mas'ūd's tradition based on the presupposition of egalitarian Divine justice the Mu'tazilite adopted. He was also reported to have been willing to reject 'Alī, 'Uthmān, al-Zubayr, Ṭalḥah, and even the Prophet and God if the idea conveyed contradicted his logic.<sup>85</sup> Apart from theoretical statements on *ḥadīth* criticism, the limited sources on *ḥadīth*-by-*ḥadīth* putative *matn* criticism applied by the Mu'tazilites have hindered the author's thorough investigation on their actual view. Nevertheless, this idea of the essential role played by the *darajāt* paradigm with regard to the Companions is supported by Lucas' proposal that the principle of *ṣaḥābah* is the

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<sup>84</sup> See the debate of al-Adhramī and Ibn Abī Du'ād: *TMS*, 11:271.

<sup>85</sup> *TMS*, 14:63-88. *TUG*, II:302-305 ('Amr als Traditionarier).

first to be investigated in relation to the original *ḥadīth* criticism that forms the authentic representation of the Sunnī.<sup>86</sup> Lucas also presented how this major theme has been ignored in English scholarship of Islamic historiography.<sup>87</sup>

In relation to the above, the *darajāt* paradigm is intimately connected with the concept of *faḍā'il* (metaphysical vantages). Lucas too investigated the *ṣaḥābah* principle by examining attitudes towards *faḍā'il al-ṣaḥābah*.<sup>88</sup> This concept is rather obvious in the works of al-Khaṭīb.<sup>89</sup> Epistemologically, the higher a person in *faḍīlah*, the nearer he is to God, and the better his cognition and rationalisation of objects of knowledge. The Qur'ānic verse states: God will elevate, by many degrees, those of you who believe and who have been given knowledge.<sup>90</sup> Echoing the Ash'arite theory of *naẓār* and *iktisāb*, al-Khaṭīb's writings simultaneously harboured the noble merit of the *ṣaḥābah* and the potential merit of all later human beings through speculations and efforts attained at best by being a *muḥaddith* and *faqīh*. Both have been identified as the real *awliyā'* accordingly, applying a somewhat confessional language.<sup>91</sup> The highest aim of learning *ḥadīth*, thus, is not necessarily authenticity; rather a spiritual progress. *Isnād* is a part of *dīn*, a relationship with God. Al-Khaṭīb quoted a *ḥadīth* luminary Ḥammād ibn Salamah saying, 'Whoever seeks *ḥadīth* not for the sake of nearness to God shall be doomed to spiritual confusion.' Sufyān al-Thawrī was reported to answer when asked, who is the rabble? 'They are those who copy down *ḥadīth* to seek [future] remuneration from people.'<sup>92</sup> Al-Khaṭīb, ultimately, lauded scholars of *ḥadīth* saying:

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<sup>86</sup> Lucas, *Constructive*, 282.

<sup>87</sup> Ibid, 221-225.

<sup>88</sup> Ibid, 255.

<sup>89</sup> *al-Kifāyah*, 1:468, '*adālat al-ṣaḥābah thābitah ma'lūmah*.

<sup>90</sup> Qur'ān, al-Mujādilah 58:11.

<sup>91</sup> *Sharaf al-Aṣḥāb*, 50, FWM, 1:150.

<sup>92</sup> *al-Jāmi'*, 1:84-85.

‘They are indeed the prominent leaders amongst the scholars, the masters amongst the great minds, members of *al-faḍl wa’l-faḍīlah* (spiritual advance and vantage) and *al-martabah al-rafi‘ah* (the highly-elevated rank).’<sup>93</sup>

However, al-Khaṭīb as usual did not confine the *darajāt* paradigm within the circle of *ḥadīth*. A comparison between the arrangement of topics in al-Shīrāzī’s *al-Lumā’ fī Uṣūl al-Fiqh*, al-Khaṭīb’s *Kitāb al-Faqīh* and Abū Ya’lā’s *al-‘Uddah fī Uṣūl al-Fiqh* surfaces al-Khaṭīb’s attempt to merging this paradigm with the *dirāyah* paradigm. While al-Shīrāzī begins his work with definitions of *‘ilm*, *ẓann*, *naẓar* and *dalīl* before explanation of *uṣūl al-fiqh*, Abū Ya’lā begins immediately with defining *uṣūl al-fiqh* but reminded promptly on the importance of mastering *furū’* (branches) before recognising principles since many theorists amongst the theologians misunderstood the functions of legal principles. Al-Khaṭīb on the other hand initiates his treatise with twenty sections that list the *faḍl* and *faḍīlah* of the *fuqahā’*, addressing the traditionists using the style of their composition and informing legal students and academic minds with the *darajāt* paradigm.<sup>94</sup> To further illustrate the features of this paradigm, this study numbers the sections of the introductory part and rearranges them thematically with relation to their aims:

**Section 1 and 11** establish a connection between *fiqh*, God given wisdom and spiritual goodness (*khayr*).

**Section 7, 9 and 10** instate the concept of intermediaries between God and the worshipping servants, and authorise the intermediaries in discerning good and evil.

**Section 17 and 18** extend the authority of a *faqīh* upon the whole community including spouses, children and slaves.

**Section 13 and 16** guarantee the presence of *faqīh* in every generation and that the level of religiosity in a town is related to this presence.

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<sup>93</sup> *al-Kifāyah*, 1:85.

<sup>94</sup> Although Lucas mentioned al-Khaṭīb’s advice for *ḥadīth* scholars to take legal disciplines seriously through *Kitāb al-Faqīh*, he did not explain the role of this lengthy treatment with regards to al-Khaṭīb’s readers from amongst the students of jurisprudence. The image of al-Khaṭīb’s “Salafism”, as Lucas depicted it, thereupon, is disconnected from a significant spiritual discourse, and a possible *Ṣūfī* tendency. *Legal Principles*, 315.

**Section 4 and 14** illustrate the notion of elevation and rise to an advance metaphysical and worldly position through learning *fiqh*.

**Section 2, 3 and 5** introduce the idea of superiority between men who were likened to ores (*ma'ādin*) of different qualities; sessions of *fiqh* over the circles of *dhikr* (chanting); seeking *ma'nā* over all types of worship; and *fuqahā'* over worshippers.

**Section 15** combines in general all other notions that place *fiqh* and *fuqahā'* at superior position. A tradition presented in this section states that the nearest people to the *darajat* of Prophethood is scholars and men of *jihād*.

**Section 8** places *fiqh* as the highest relation between man and God (*mā 'ubida Allah bi shay'in afḍal min al-fiqh*).<sup>95</sup>

**Section 12** explains that the rank of a servant in the Hereafter depends on the final level (*martabah*) of knowledge he achieved during his life.

**Section 19** likens the *marātib* of heart with regard to knowledge to three types of land in relation to rainfall: fertile land, water-holding land and non-beneficial land. Al-Khaṭīb commented: 'The Messenger has combined in this tradition all *marātib* of *fuqahā'* and *mutafaqqihūn* without any exception.' He interpreted the three types of land with the likes of *faqīh*, the likes of *ḥadīth* expert and the likes of individual with barren heart.

**Section 20** relates the division of hearts attributed to 'Alī ibn Abū Ṭālib with the previous *maratīb*. Al-Khaṭīb remarked:

'This *ḥadīth* ('Alī's speech) is amongst the best *ḥadīth* in meaning and the noblest in wording ... The *rabbānī* (Lordly) scholar is the one whose *faḍl* (spiritual advantage) is the highest that could be achieved by a *fāḍil* (a person who advances) and whose *manzilah* (stature) is the highest that could be attained by a *mujtahid* (expert) ... the meaning of *rabbānī* in its linguistic sense is the most elevated in the degree and the highest stature in knowledge.'<sup>96</sup>

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<sup>95</sup> Al-Khaṭīb's treatment of this idea has attracted the later Ḥanbalī Ibn Qayyim al-Jawziyyah to elaborate it in his work on the key to the eternal happiness. See his citation of al-Khaṭīb's introduction and narration: *Miftāḥ Dār al-Sa'ādah* (Beirut: Dār al-Kutub al-'Ilmiyyah), 1:118.

<sup>96</sup> FWM, 1:184.

It is only by the end of these sections that al-Khaṭīb begins his exposition of *fiqh* in its linguistic, general and specific sense as legal studies.

The above intangible notions are furthermore reflected in tangible part of scholarship. As for the sphere of *isnād*, al-Khaṭīb remarked:

‘The ranks of narrators in knowledge are not equal. The one with superior *isnād* as we previously described should be favoured. If the *asānīd* of a group of head-narrators are equal in superiority, and the student need to choose amongst them, he should pick the one whose experience of seeking *ḥadīth* is vastly acknowledged, and whose academic meticulousness and proficiency are notable ... If they are equal in term of *isnād* superiority and academic traits, one should opt for those with noble status and lineage.’<sup>97</sup>

While in regards to *fiqh* and *dirāyah*, al-Khaṭīb did not leave a discussion on levels of *fuqahā’*, although he mentioned that there are different levels (*tabāyun*) of understanding.<sup>98</sup> As for the mechanism of *dirāyah*, in contrast to Abū Ya‘lā, al-Khaṭīb did not discuss whether people are of different levels of intellectual capacity (*tafāwut al-‘uqūl*), although he used attributes such as *tamma al-‘aql* (matured intellect), *wufūr al-‘aql* (intelligent), etc. According to Abū Ya‘lā, both the Mu‘tazilah and the Ashā‘irah hold that human intellectual capacities are identical; while the Ḥanābilah view that they are non-equal.<sup>99</sup> The consequence of this thought is that humans are responsible towards God not in an equal manner, which is an extreme opposite to the Mu‘tazilite egalitarian tendency. While al-Khaṭīb was silent on this subject, he did mention the better *faḍl* for a scholar who exerts himself in *ijtihād* (seeking knowledge) on challenging subjects and associated it with the Qur’anic praise on *tanāfus* (competition).<sup>100</sup>

The truth for him has never been confined to any school of thought or legal community. Common people who are not well equipped to perform *naẓar* may follow (*taqlīd*) any of the scholars. Al-Khaṭīb clearly distinguishes between

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<sup>97</sup> *al-Jāmi‘*, 1:126.

<sup>98</sup> *FWM*, 2:139.

<sup>99</sup> Abū Ya‘lā argued for the Ḥanbalites based on the *ḥadīth* collection titled *Kitāb al-‘Aql* by their *faqīh*, Abū’l-Ḥasan al-Tamīmī. *al-‘Uddah*, 1:94.

<sup>100</sup> Qur’ān, al-Muṭaffifīn 83:26, *FWM*, 2:39.

individuals who are able to execute *naẓar* and *ijtihād*, and the common public. His allowance for *taqlīd* to the public did not specify any *madhhab* as well.<sup>101</sup> There is an indication that charitable consideration of the status of the common public is a reaction to the Muʿtazilite denigration of their religious status since *taqlīd* according to them is blameworthy.<sup>102</sup> Al-Khaṭīb reported this as being said about the Muʿtazilah without certainty.<sup>103</sup> It does, however, fit with al-Khaṭīb's portrayal of them as exclusivists who boast upon their intellectual certainty before the public.<sup>104</sup> He portrayed his *darajāt* paradigm as more inclusive by allocating *ḥifẓ* (preservation) to the *ḥamalah*, *naẓar* to the scholars and *ʿamal* to the public. Knowledge raises the rank of a person, yet, al-Khaṭīb warned his audience on its mandate for action:

‘Indeed, did not those pious predecessors attain the loftiest degrees (*al-darajāt al-ʿulā*) that they attained except through stringent sincerity,<sup>105</sup> righteous actions and overwhelming abstinence from the attractive features of this lowly life? And did not the philosophers accede to the eudemonia except through rigorous efforts, temperate enjoyment of life, and giving out their surpluses to the destitute and the deprived?’

The above three paradigms inform theoretically al-Khaṭīb's framework of *ijtihād* in *sharʿī*-related subjects. They explain to what extent his idea of scholarship and religion is connected to traditionalism, rationalism, institutional *madhhab* and constant pietism. Al-Shāfiʿī's statement in *al-Risālah* alludes to these paradigms and it was quoted by al-Khaṭīb to intensify the importance of constant *ijtihād*:

‘People with regards to knowledge are of different levels (*ṭabaqāt*). Their position with regard to it follows their degrees (*darajāt*) in learning. Hence, a seeker of knowledge should exert as much as he can, perseveres as possible

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<sup>101</sup> FWM, 2:133.

<sup>102</sup> Richard Frank, Knowledge and *taqlīd*: The Foundation of Religious Belief in Classical Ashʿarism, in *Texts and Studies*, vol. III, VII:37-62.

<sup>103</sup> FWM, 2:133.

<sup>104</sup> *Thumma huwa yaftakhir ʿala al-ʿawām bi-dhahāb ʿumrihi fī dars al-kalām, wa-yarā jamīʿahum ḍāllīn siwāhu, wa-yaʿtaqīd an laysa yanjū illā iyyāh, li-khurūjihi fīmā zaʿama ʿan ḥadd al-taqlīd, wa-intisābihi ilā al-qawl biʿl-ʿadl wa al-tawḥīd*. See: *Sharaf al-Aṣḥāb*, 4.

<sup>105</sup> In the published version edited by Al-Albānī the phrase is read *ikhhlāṣ al-muʿtaqad*, which means through purifying the creed, while the manuscript reads *al-ikhhlāṣ al-muʿtaqad* that denotes what is translated above. See: *Iqtidāʾ*, 15.

as he can, and purifies his intention only for God, so he may acquire knowledge through [1] *naṣṣ* (traditional texts), [2] *istinbāt* (intellectual derivation), and [3] *al-rahbat ila Allah* (spiritual devotion to God).<sup>106</sup>

## 4.5 *Ijtihād* and *Iḥāṭah*

### 4.5.1 Divine Commandment upon the scholars

The previous discussions illustrate that for al-Khaṭīb, *ijtihād* is the responsibility of scholars and the concealment of the final answer is meant for both the feasibility of *ijtihād* itself, and the integrity and creativity of scholars. In a legal theoretical study on Islam and authoritarianism, Abou El Fadl depicts Islamic law as a work in movement.<sup>107</sup> However, when dealing with the question of whether there is a correct answer to every textual and legal problem, Abou El Fadl divided Muslim jurists into two main camps; (1) *mukhaṭṭi'ah* and (2) *muṣawwibah*. The first argues that there is only one correct answer. Abou El Fadl quoted al-Khaṭīb arguing that if people were not supposed to find the correct answer, what is the point of *munāẓarah*? *Mudhākarah* and *munāẓarah* are useful because they have the potential of bringing scholars closer to the truth.<sup>108</sup> The second camp according to Abou El Fadl argues that every *mujtahid* is correct and human may arrive only at predominant thought. However, Abou El Fadl gave several classical examples, which involve the change of answer according to circumstances. This is misleading since the *mukhaṭṭi'ah* including al-Khaṭīb were addressing polar questions in legal cases where it is impossible to have a double answer such as valid and invalid at the same time. Al-Khaṭīb rather had in mind two senses of *muṣawwibah*: (1) *muṣīb al-ḥaqq* (every answer is intellectually correct), which he rejected,<sup>109</sup> and (2) *muṣīb al-ajr* (every credible attempt is rewarded, but the right one is double-rewarded). This fit beautifully into the *darajāt* paradigm.

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<sup>106</sup> al-Shāfi'ī, *al-Risālah* (Egypt, Muṣṭafā al-Bābī, 1938), ١٩, FWM, 2:204.

<sup>107</sup> Khaled Abou El Fadl, *Speaking in God's Name: Islamic Law, Authority and Women* (Oxford: Oneworld, 2003), 145.

<sup>108</sup> Ibid, 147-148. FWM, 2:120-122.

<sup>109</sup> He brought several accounts where the Companions refute each other.

Another question is regarding the conflict of interest where two clients are following two different schools of thought and the responses are opposing such as valid and invalid. Abou El Fadl asserted that for *muṣawwibah* the law of God is suspended until there is a formal legal adjudication between the competing interests. Al-Khaṭīb did not address the exact situation. However, his words indicated that only one of the views would be right. If the exact situation as above occurs, we may infer that al-Khaṭīb would recognise the said adjudication as another *ijtihād* where there is only one right answer too.

The above applies as well to *ijtihād* in the verification of tradition where a tradition cannot be approved as authentic and forgery concurrently. Previous verification is constantly open to revision and criticism with certain exceptions.<sup>110</sup>

This scheme of *ijtihād* preserves the authority and integrity of traditional texts and the dynamicity of intellectual efforts, with the confinement of relativity to the realm of metaphysical *darajāt*. *Ijtihād* becomes the way for scholars to come closer to God.

#### 4.5.2 The Continuity of *Ijtihād*

The continuity of *ijtihād* in al-Khaṭīb's scheme could be extrapolated from two points. First, the assertion on the authority of *muḥaddith/faqīh/ālim* and that *Sharī* sources have warranted the existence of these experts in every generation. Second, he accepts the legal status of *ijmā'* (correlative multiple *ijtihāds*) amongst the experts when obtained in every generation. *Ijmā'* is not confined to the time of the Companions, as was the view al-Khaṭīb ascribed to the Ṣāhirī Dāwūd ibn 'Alī (270/884) and refuted it.<sup>111</sup> For him, the experts amongst the Followers such as Sa'īd ibn al-Musayyib, Abū Salamah ibn 'Abd al-Raḥmān, and students of Ibn Mas'ūd such as Shurayḥ were practising *ijtihād* in giving opinions during the later period of the Companion era and none of the Companion denounced their creativity. Therefore, the later in period could be elevated to a higher station and knowledge expertise.

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<sup>110</sup> See Chapter Six.

<sup>111</sup> FWM, 1:427.



However, the established results (agreement and disputation) from the time of the Companions must not be nullified.<sup>112</sup> If the Companions disagreed on a subject and they resulted in two different opinions, the Followers must not forbid people from following any of them. Doing so is a breach of *ijmāʿ*. Should there be an established *ijmāʿ* of Companions on two opinions, it is not permissible as well to form the third one. Al-Khaṭīb in this regard affirmed the authority of both the *salaf* and the contemporary scholars. *Ijtihād* is continuous as long as it does not contradict the *naṣṣ* (clear-cut texts)<sup>113</sup> and agreed finalised subjects.

#### 4.5.3 *Ijtihād* and Authority

The study of authority from legal and theological perspectives often confined to the question of loyalty to a doctrinal community or principles. Melchert has pointed out that the traditionalists of Baghdād held out for exclusive dependence on ancient authority, only to find that their resistance to any dependence on later teachers was later untenable.<sup>114</sup> In al-Khaṭīb's traditionalism, the absence of grades of *mujtahid* within a specific legal school, sometimes exemplified in the genre of *ṭabaqāt al-fuqahāʾ*, bears a mark of Salafism as already granted in Lucas study. However, Lucas placed al-Khaṭīb amongst the pioneers of Madhhabī Salafism for his openness to being a Shāfiʿī.<sup>115</sup>

A notable aspect being Abou El Fadl's assertion that generally the authority of God is preserved in an abstraction called the *Sharīʿah*, while the concrete understanding and implementation of God's Authoritative Will is called *fiqh*. The latter is the product of human attempt to understand God's Will and that the conceptual distinction was the product of the recognition of human limited capacity. Building on Friedman's distinction between being "in authority" and being "an authority", Abou El Fadl constructs the concepts of coercive authority and

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<sup>112</sup> *Ittibāʿ al-salaf fī al-ijmāʿ wa al-khilāf*. FWM, 1:435.

<sup>113</sup> *Bāb fī Suqūṭ al-Ijtihād maʿa Wujūd al-Naṣṣ*, Ibid, 1:504.

<sup>114</sup> Melchert, *Formation*, 137.

<sup>115</sup> Lucas, *Legal Principles*, 323.

persuasive authority.<sup>116</sup> Within the Islamic legal theory, a *mujtahid* possesses only the second level of authority.<sup>117</sup> The *madhāhib* hence were attributed with *fiqhiyyah*, and not *sharʿiyyah*. This coalesces with al-Khaṭīb's schema where the Qurʾān, the *Sunnah* and the *Ijmāʿ* as the basis of *Sharīʿah* are deemed terminal authority. While in regards to them as sources for *fiqh*, al-Khaṭīb, following al-Shāfiʿī, presented duality and ambiguity in the deliberation of the three sources, making the role of a *muftī* and a *mujtahid* non-terminal albeit compelling.

While there is a strict emphasis on following *Sharīʿah*, there is no instruction on following a particular *madhhab* in al-Khaṭīb's works, not even for instructional convenience. As for scholars with the opportunity to perform research, *ijtihād* is incumbent upon them and their dependence should be primarily on the indicants, before reference to any past luminaries; a consideration of *darajāt*. Whereas a layman may follow any of the appointed *muftīs* including, surprisingly, those accused as following whimsical despotism and heretics whose heresy does not pair a grave sin (*fisq*).<sup>118</sup>

As for the authority of state in opting for a particular legal view, it is officialised by orthodox consensus on the preservation of peace. According to al-Khaṭīb, if scholars were to allow revocation of a ruler for his wrong choice of legal opinion, it will lead to incessant revocations by ambitious politicians that are beyond repair.<sup>119</sup>

In the case of gender, the social context of al-Khaṭīb's circle may have not necessitated him to explicate the subject of female *muftī*. His enumeration of the requirements of *muftī*ship, though, did not explicitly restrict any gender. However, al-Khaṭīb did allocate his attention to state that being a free person is not a requirement. Having learned from the renowned female *ḥadīth* scholar, Karīmah al-Marrūdhiyyah (463/1071), al-Khaṭīb was aware of the involvement of women in

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<sup>116</sup> Abou El Fadl, *In God's Name*, 18-23

<sup>117</sup> The scholars in Islam dispose authority in society; they do not directly dispose power. Akram al-Nadwī, *al-Muḥaddithāt: The Women Scholars in Islam* (Oxford: Interface Pub., 2007), 3.

<sup>118</sup> *FWM*, 2:333.

<sup>119</sup> *Ibid*, 2:127.

*ḥadīthī fatwā* (responsa pertaining to *ḥadīth*). Akram Nadwi in his monumental study on female *ḥadīth* scholars quoted al-Khaṭīb saying:

‘Where traditionist and witness differ from each other is the requirement for a witness on being a free person, not parent or descendant [of the party involved], not having any relation that leads to suspicion, not a close friend, and being a male in some types of testimony, and being two or four in some others. And all that is not considered in a traditionist. For we accept knowledge transmitted by a slave, a woman, a friend, etc.’<sup>120</sup>

Moreover, al-Khaṭīb had cited al-Bāqillānī’s opinion that the accreditation and discreditation of narrators offered by even a single knowledgeable woman should be accepted contrary to the opinion of many jurists of Madinah.<sup>121</sup> Al-Khaṭīb’s *Tārīkh* also provides a section on renowned female scholars.

#### 4.5.4 *Ijtihād* and Areas of Expertise

In *al-Jāmi‘*, al-Khaṭīb underlined: ‘For every science there is a method which is necessary for its aspirants to oblige.’<sup>122</sup> He provided in the two methodological treatises the framework for three major areas of expertise. The author first uses al-Khaṭīb’s section on compilation and composition in *al-Jāmi‘* to illustrate his combination of *ḥadīth* and *fiqh*.

##### (1) The *Ḥuffāz*-ship

According to al-Khaṭīb, *ḥadīths* were compiled narrator-based (*musnad* pl. *masānīd*) and topical-based (*bāb* pl. *abwāb*).<sup>123</sup> The adoption of these two methods reflects the notion of combination between *isnād* and *ma’nā*. *Abwāb* collections arranged *musnad ḥadīth* (attributed to the Prophet) in topics, but early compilations had more *mawqūf* (stopped at the level of Companion) and *mursal* (fast-forwarded at

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<sup>120</sup> al-Nadwī, *al-Muḥaddithāt*, 21.

<sup>121</sup> *al-Kifāyah*, 1:262.

<sup>122</sup> *al-Jāmi‘*, 1:75.

<sup>123</sup> *Ibid*, 2:284.

the tier of Follower) narrations, for not many *musnad ḥadīth* were available.<sup>124</sup> Al-Khaṭīb gave six accounts that prove the practice of topical arrangement amongst the early tradents of *ḥadīth*. These accounts seem to be a refutation against unknown contenders who view this act as profanity.<sup>125</sup> He then listed a number of topics, which were often treated by the tradents.<sup>126</sup> Prior to it, he provided the *uṣūl* (principal sources) for legal hypothetical cases and *ḥadīths* of legal import. A number of Companions were exemplarily listed, namely Ibn Mas‘ūd, Zayd ibn Thābit, Ibn ‘Abbās, and ‘Alī ibn Abū Ṭālib.

Attending to the compilation and composition based on narrators, al-Khaṭīb initially informed that this method was introduced either by the Egyptian traditionalist, Asad al-Sunnah (212/827) or the Egyptian traditional jurist who was formerly a Jahmī, Nu‘aym ibn Ḥammād (228/843).<sup>127</sup> The introduction of *musnad* collection, then, cannot be identified with Ibn Ḥanbal or Baghdādian traditionalists.<sup>128</sup> Next, he expounded the ranks of the Companions since the *masānīd* were arranged according to individual Companion. After that, al-Khaṭīb presented the *uṣūl* (principal sources) of *ḥadīth* as surmised by ‘Alī ibn al-Madīnī. They began with six leading tradents: al-Zuhrī, ‘Amru ibn Dīnār (126/743), Qatādah, Yaḥyā ibn Abī Kathīr (132/750), Abū Ishāq al-Sabī‘ī (129/746) and Sulaymān al-A‘mash (148/765), and ended up with eleven tradents who transmitted from them.<sup>129</sup> The juxtaposition of the list by al-Ḥāfiẓ Abū Dāwūd al-Ṭayālīsī (204/819) shows that the previous one is not terminal. Al-Khaṭīb had furthermore provided the lists of tradents whose narrations were sought after. According to him, al-Ḥāfiẓ

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<sup>124</sup> This may support the theory of back growth projection of *isnād*. However, it seems that the reason for non-availability is lesser communication amongst scholars in the regions. Al-Khaṭīb seems to allude to this point when he characterised the nature of *ḥadīth* transmission in every region. *al-Jāmi‘*, 2:286, *makhārīj al-sunan*.

<sup>125</sup> See the question addressed to Wakī in *al-Jāmi‘*, 2:285.

<sup>126</sup> See Chapter Two.

<sup>127</sup> On the Iraq origin of the idea of *musnad*, see: G.H.A Juynboll, *Muslim Tradition* (Cambridge Univ. Press, 1983) 22.

<sup>128</sup> *al-Jāmi‘*, 2:290.

<sup>129</sup> Ibn Abī ‘Arūbah, Ḥammād ibn Salamah, Shu‘bah, Abū ‘Awānah, Sufyān al-Thawrī, Ibn Jurayj, Mālik ibn Anas, Sufyān ibn ‘Uyaynah, Hushaym ibn Bashīr, Ma‘mar ibn Rāshid and al-Awzā‘ī. *al-Jāmi‘*, 2:294

‘Uthmān al-Dārimī (280/894) regarded Ḥammād ibn Zayd (179/795), Ibn ‘Uyaynah (198/814), Mālik, al-Thawrī and Shu‘bah as *uṣūl al-dīn* (principal sources of religion). Ibn Ḥanbal added to the last three Zā‘idah ibn Qudāmah (161/778) and Zuhayr ibn Ḥarb (234/849), and regarded the five as The Leaders.<sup>130</sup> For al-Khaṭīb, fellows of *ḥadīth* had sought narrations of many others apart from them.<sup>131</sup> It shows that the lists provided were not meant to dictate authorities but rather to highlight the paragon of transmission.<sup>132</sup>

Al-Khaṭīb finally provided the lists of works reportedly authored by ‘Alī ibn al-Madīnī and Ibn Ḥibbān. He credited the former as the philosopher of *ḥadīth* criticism and lauded the latter for his combination between *ḥadīth* and *fiqh*. Al-Khaṭīb said: ‘His [Ibn Ḥibbān] last work was *al-Hidāyah ilā ‘Ilm al-Sunan* in which he intended to showcase the two crafts: *ḥadīth* and *fiqh*. It was his best and greatest book.’<sup>133</sup>

To further prove that the previous enlistments were not statements of terminal authority, al-Khaṭīb had already provided a section on the highest level of expertise in the field of *ḥadīth*. According to him, the highest designation of *ḥadīth* acumen and the uppermost degree of the *nāqilīn* (i.e. *ḥamalāh*) is *al-Ḥāfiẓ*. This designation was not customarily used for any other disciplines, not even, as familiarised in colloquial parlance, for the memorisers of the Qur’ān. It evokes more than a mere memorisation to include the sense of ultimate understanding,

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<sup>130</sup> Ibn Ḥanbal has also regarded ‘Abd Allāh al-Dārimī, the author of *al-Sunan* as The Leader. *Siyar*, 12:226,

<sup>131</sup> See previous chapter.

<sup>132</sup> Melchert might have misrepresented the traditionalists when he quoted Abū ‘Ubayd saying ‘Religious knowledge has ended up with four: Abū Bakr Ibn Abī Shaybah, Aḥmad ibn Ḥanbal, ‘Alī ibn al-Madīnī and Yaḥyā ibn Ma‘īn,’ to exemplify the dictation of authority amongst the traditionalists. He bracket-explained knowledge as (*‘ilm* – not just *ḥadīth*). The citation was made from *al-Jarḥ wa’l-Ta’dīl* of Ibn Abī Ḥātim (India: Dā‘irat al-Ma‘ārif, 1952), 1:293, 315, 319. The statements in the book, however, refer clearly to their specific skill with regards to *ḥadīth*. It does not entail all religious knowledge, which covers Qur’anic exegesis, Prophetic history, financial transactions, etc. Another version of the statement in *Nūr al-Qabas* makes this point even more clear. See: Melchert, *Formation*, 13, Abū’l-Maḥāsīn al-Yaghmurī, *Nūr al-Qabas al-Mukhtaṣar min al-Muqtabas*, ed. Rudolf Selheim (Wiesbaden: Franz Steiner, 1964), 315.

<sup>133</sup> *al-Jāmi‘*, 2:301-304.

preservation, safeguarding, and extending knowledge to later generation. Al-Khaṭīb lists the criteria by which one attains *ḥuffāz*-ship:

- 1- Knowledgeable on the [standard] *Sunan* of the Prophet.
- 2- Knowledgeable on the [major] channels of its transmission in general.
- 3- Able to recognise and discern strands of transmission at particular levels.
- 4- Retentive on the approved and disputed amongst the strands.
- 5- Learned in the methodologies of grading transmitters.
- 6- Learned in terminologies of *al-taḥammul wa'l-adā'* (receiving and transmitting).
- 7- Learned in terminologies of *ṭabaqāt* (e.g. *ṣaḥābī*, *tābi'i*) and its consequences.
- 8- Learned in terminologies of *tadlīs*-related issues.
- 9- Learned in textual errors and interpolations.
- 10- Specialised in the field without much distractions.

One who fulfils these criteria makes the reliable reference in *ḥadīth* criticism.<sup>134</sup> Scholars, however reputable they are nationwide or worldwide, including figures being perceived as saints, must subscribe to this mastership. For this reason, a retracement provided by *al-ḥāfiẓ* invites a wider scholarly reception. To clarify his assertion, al-Khaṭīb listed several names and the breadth of their experience with traditions:

- i. Al-Ḥāfiẓ Ḥammād ibn Abī Usāmah (201/817): 100,000 narrations.
- ii. Al-Ḥāfiẓ 'Alī ibn al-Madīnī: more than 100,000.
- iii. Al-Ḥāfiẓ Yaḥyā ibn Ma'īn: 600,000 or more.
- iv. Al-Ḥāfiẓ Abū Zur'ah al-Rāzī: more than 100,000.
- v. Al-Ḥāfiẓ Abū Kurayb al-Hamdānī (247/862): more than 300,000.
- vi. Al-Ḥāfiẓ 'Ubayd Allah ibn 'Umar al-Qawārīrī (235/850): 100,000.
- vii. Al-Ḥāfiẓ Muḥammad ibn 'Abd Allāh al-Ḥaḍramī Muṭayyan (297/910): 100,000.
- viii. Al-Ḥāfiẓ Abū'l-'Abbās Ibn 'Uqdah (332/944): more than 400,000.

Compared to al-Rāmhurmuzī and al-Ḥākim, al-Khaṭīb was the first to emphasise the authority of *ḥuffāz*-ship and elaborate its conditions. Additionally, al-

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<sup>134</sup> *al-Jāmi'*, 2:172.

Khaṭīb believed that an expert would be recognised even if he humbly denied his expertise as he did for himself.<sup>135</sup> The most repeated word al-Khaṭīb applied in his expositions pertaining to *ḥuffāz*-ship is *ikthār* (enrichment).<sup>136</sup> Then, it would be acceptable to conclude that the notion of potential encompassment lies at the heart of his methodological framework for expertise in *ḥadīth*.

## (2) The *Faqīh* as an *ʿĀlim*

As mentioned previously, al-Ashʿarī and al-Khaṭīb sometimes equate *fiqh* with knowledge in general. In his technical definition of *fiqh*, al-Khaṭīb cited al-Shīrāzī who says that *fiqh* is the cognition of Divine imperatives (*al-aḥkām al-sharʿiyyah*) by the means of *ijtihād*.<sup>137</sup> The approach al-Khaṭīb applied has yet to distinguish between the *qatʿī* and *ijtihādī* in *fiqh*, despite that he adopted the concept of *ʿilm ḍarūrī*. If *fiqh* is synonymous to *ʿilm*, there should be “*al-fiqh al-ḍarūrī*” or “*qatʿī*” apart from *ijtihādī*. Al-Khaṭīb, however, had explained earlier on that *fiqh* is the apparatus of *ʿilm* and that according to Ibn Qutaybah, an *ʿālim* is called *faqīh* based on the Arab norms of assigning to a thing the name of its cause. Thus, the apparatus is human effort and not an object that could be logically qualified with *ḍarūrī*-ness. Abū Yaʿlā also expressed this point.<sup>138</sup> Al-Khaṭīb added to al-Shīrāzī and Abū Yaʿlā by citing the linguist Thaʿlab who states that the verb *fa-qu-ha* means *ka-mu-la* (completed). Compared to *uṣūl* works of his time, al-Khaṭīb was the only scholar who preserves this linguistic meaning that is useful to appreciating a *faqīh* as a *kāmil* (completed), and explaining *fiqh* as the highest form of servanthood.

When dealing with *uṣūl al-fiqh*, al-Khaṭīb and al-Shīrāzī both define it as the indicants (*adillah*) based on which *fiqh* (positive statutes) are known. However, while al-Shīrāzī enlists (1) God’s communicate, (2) Prophet’s communicate, practices, and

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<sup>135</sup> TFZ, 3:224, Asked, ‘You are the Ḥāfiẓ Abū Bakr?’ He replied, ‘I am only Aḥmad ibn ʿAlī, the *ḥifẓ* has ended with al-Dāraqūṭnī.’

<sup>136</sup> Section on *al-ikthār min al-Shuyūkh*, section on *dhikr baʿd akhbār al-mawṣūfīn biʾl-ikthār min katb al-ḥadīth wa-samāʾihī*. In his explication on the criteria for *al-ḥāfiẓ*, al-Khaṭīb remarked: *fa-yanbaghī lahu an yakūna qad akthara min al-ḥadīth kitābatan wa-samāʾan. al-Jāmiʿ*

<sup>137</sup> FWM, 1:191, al-Shīrāzī, *al-Lumaʿ*, 34.

<sup>138</sup> *al-ʿUddah*, 1:68.

tacit affirmations, (3) the affirmation of the Muslim Community, (4) *qiyās*, (5) the pre-Islamic judgement in the absence of *adillah*, and (6) a verdict from a scholar upon a layman, al-Khaṭīb emboldens that *uṣūl* for *fiqh* are three.<sup>139</sup> These are (1) *Kitāb* Allah, (2) the *Sunnah* of Muḥammad, and (3) the concurrent affirmations of experts (*ijmāʿ ahl al-ijtihād*). The theme of *ijtihād* is once again upraised. It might be not far-fetched to suppose that based on al-Khaṭīb's style, *ijmāʿ al-ummah* would be the sign of *Sharīʿah* while *ijmāʿ ahl al-ijtihād* situated as the source for *fiqh*. Nevertheless, al-Khaṭīb's exclusion of these three as the source of *fiqh* draws closer to Abū Yaʿlā's first level of indicants, which comprises of Qurʾān, *Sunnah* and *Ijmāʿ*.<sup>140</sup> The rational seeking al-Juwaynī would regard the restriction to these three as a sign of Ḥashawīs.<sup>141</sup> Nevertheless, al-Khaṭīb and Abū Yaʿlā had both discussed the legitimacy of certain other indicants without naming them *uṣūl*, at least at the first level.<sup>142</sup> In the case of al-Khaṭīb, the certain others such as *qiyās* (analogy), *istiṣhāb* (presumption of continuity), and the pre-*Sharīʿah* state of things, are found to be amongst those he regarded as disputed principles.

In summary, al-Khaṭīb demanded a *faqīh* to encompass the *uṣūl* and other related subjects to indicants he mentioned in *Kitāb al-Faqīh* in order to attain mastership of religious knowledge. The brevity of discussion he provided reflects his idea of expertness where an expert will know how to proceed independently in deeper subjects. When presented with the list of *mujtahids* Abū Ḥātim presented, al-Khaṭīb remarked that it was rather exemplary for there are many more scholars and experts in every generation. The encompassment of their disputation and agreement is a sign of an expert.<sup>143</sup>

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<sup>139</sup> al-Shīrāzī, *al-Lumaʿ*, 35.

<sup>140</sup> *al-Uddah*, 1:72.

<sup>141</sup> al-Juwaynī, *al-Burhān*, 1:125.

<sup>142</sup> Abū Yaʿlā divides indicants of *al-sharʿ* (*sharīʿah* and *fiqh*) into three types: (1) *aṣl* (Qurʾān, *Sunnah*, *Ijmāʿ*), (2) *mafhūm aṣl* (*derivatum* of *aṣl*, namely *mafhūm al-khiṭāb*, *dalīl al-khiṭāb* and *maʿnā al-khiṭāb*), and (3) *istiṣhāb* (presumption of continuity). *Al-Uddah*, 1:71. Al-Shīrāzī had also followed this scheme. Al-Shīrāzī, *al-Maʿūnah fī al-Jadal* (Kuwait: Jamʿiyyat Iḥyāʾ al-Turāth, 1987), 26.

<sup>143</sup> *FWM*. 1:433.



### (3) The Muftī

Similar to al-Shāfiʿī, al-Khaṭīb differentiates between *fiqh* (which root is *f-q-h*) and *fatwā* (which root is *f-t-y*). Lowry concludes that the root *f-t-y* in al-Shāfiʿī's *Risālāh* does not inform a definitive conclusion. He suggests that it describes persons who accept a particular *ḥadīth* and it might possibly be a synonym of *fiqh*.<sup>144</sup> Al-Khaṭīb supplies us with the distinction when he cited al-Shāfiʿī detailing the criteria of a *muftī*. According to al-Shāfiʿī, a *muftī* should be:

- 1- Learned in areas of Qur'anic sciences, namely *nāsikh wa-mansūkh*, *muḥkam wa-mutashābih*, *ta'wīl wa-tanzīl*, *makkī wa-madanī*, *murād wa-fīmā unzīl*.
- 2- Learned in *ḥadīth* sciences, similar to the topics related to Qur'anic sciences.
- 3- Learned in Arabic language and poetry to the use of understanding Qur'ān and knowledge.
- 4- Fair and detached from unneeded conversation.
- 5- Aware of disputed laws across regions.
- 6- Naturally genius.

Al-Shāfiʿī ends up by saying, 'If these qualities are attained, a person may issue opinions and deliver responsa pertaining to the lawful and the unlawful. If not, he may discuss *ʿilm*, but refrain from delivering responsa.'<sup>145</sup>

*Fatwā* or the act of issuing *fatwā*, called *iftā'*, therefore concerns the responsibility to address questions asked by the public. It is somewhat an additional task to *ʿilm*, which is the synonym of *fiqh*. According to Lowry, the terms *ahl al-ʿilm* and *ahl al-fiqh* overlap completely in the *Risālāh* of al-Shāfiʿī.

It is at this point that we may qualify al-Khaṭīb four sources of *ahkām* as related to the ground of *iftā'*. The four-source scheme attributed by Schacht and some modern scholars to al-Shāfiʿī were elaborated by al-Khaṭīb under the section on the Criteria of a *Muftī*.<sup>146</sup> They are: (1) *Kitāb* Allah, (2) *Sunnah* of Muḥammad, (3)

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<sup>144</sup> Lowry, *Legal Theory*, 285.

<sup>145</sup> *Fa-lahu an yatakallam fi al-ʿilm, wa-lā yuftī*. FWM, 2:332.

<sup>146</sup> FWM, 2:321, Joseph Schacht, *The Origins of Muhammadan Jurisprudence* (Oxford: Clarendon Press), 133-137.

the Opinions of the Pious Predecessors whether in the agreed or the disputed subjects where *ijtihād* is feasible, and (4) positive *qiyās* (analogy) to arrive at the rulings on unprecedented issues (*al-nawāzil*).

Al-Khaṭīb had also added many more moral and intellectual qualities that a *muftī* should observe. After mentioning *fiqh* as the ultimate science, al-Khaṭīb penned the encompassment a *muftī* should endure:

‘He needs to distinct between seriousness and joviality, differences and contradictions, beneficent and harmfulness, human affairs that transpire among them, and the customs which are familiar to them. It is thence an obligation of a *muftī* to study all that we have mentioned and he will not be able to do that except through meeting notables, mixing with members of convergent schools of inclination and various ideas (*al-niḥal* and *maqālāt*), having many debates and discussions with them, accumulating books, studying them and constant perusing of their subjects.’<sup>147</sup>

#### 4.5.5 The Ideal *Ijtihād* is *Iḥāṭah*

Based on the abovementioned conclusions, this section proposes that the best term to represent al-Khaṭīb’s methodological framework of *ijtihād* is *iḥāṭah*. The radical letters *ḥ-w-ṭ* cover a range of senses related to *ḥifẓ*, constant revision and care, enhancement, encompassment, comprehensive *fiqh*, making and performing, and knowing.<sup>148</sup> The Qur’anic use of *aḥāṭtu* to denote ‘*alimtu* (I knew) conflates beautifully with the aim of *ijtihād*, which is ‘*ilm*’.<sup>149</sup> The following reasons supports its usage with regard to al-Khaṭīb:

- (1) Al-Khaṭīb’s statement as he concludes that the opponent of *ḥadīth* is either one of two: an ignorant layman or an arrogant savant. Both are borne out of lack of encompassment or experience of the actual scholarship.<sup>150</sup> Al-Khaṭīb said:

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<sup>147</sup> FWM, 2:334.

<sup>148</sup> It may also be related metaphorically with a garden of knowledge since *al-ḥā’iṭ* means the garden. Ibn Manẓūr, *Lisān al-‘Arab* (Cairo: Dār al-Ma‘ārif), 2:1052.

<sup>149</sup> Qur’ān, al-Naml 27:22.

<sup>150</sup> FWM, 2:151.

‘This conclusion is derived from the verse; “Rather, they have denied that which they encompass not (*lam yuḥīṭū*) in knowledge and whose interpretation (*ta’wīl*) has not yet come to them.”<sup>151</sup>

- (2) Al-Khaṭīb’s adoption of al-Shāfi’ī’s cognitive process for legal question, which is ideally *iḥāṭat al-zāhir wa’l-bāṭin*. The emphasis on *zāhir* means one cannot simply pick any *bāṭin* meaning without combining it with the *zāhir*.<sup>152</sup> Al-Khaṭīb cited al-Shāfi’ī saying:

‘Should it be permissible for anyone to follow just a possible meaning and discard the literal text, it would appear that no scholar has a valid argument against another since every *ḥadīth* has many possible meanings. However, the truth in it is only one; that every *ḥadīth* stays in its obvious and general meaning unless being indicated otherwise by the Prophet or that scholars in general agreed to pick only the *bāṭin* (inner) meaning or to specify its ruling.’<sup>153</sup>

- (3) Al-Khaṭīb’s defence of the potentiality of *ijmā’*. Prior to al-Khaṭīb, Ibn Ḥazm challenges the legitimacy of *ijmā’* by rejecting the possibility of *iḥāṭah*. After depicting the scattered distribution of Companions and the scholars amongst their followers and later generation across many regions, he stated:

‘It is impossible for anyone to encompass every statement of every person in these regions.’<sup>154</sup>

Al-Khaṭīb defended the possibility of *ijmā’* saying:

‘It is possible to have knowledge on the affirmations of (notable) scholars for an individual who occupies himself with seeking knowledge until he becomes an expert in it would not be unknown to people of his city and his neighbours. His presence or absence would not be unnoticeable. It is also possible for a governor to send researchers to towns and gathers information on all opinions.’<sup>155</sup>

Once again, al-Khaṭīb stressed the idea of expertness instead of sole dependence on concrete methodology in criticism and scholarship.

<sup>151</sup> Qur’ān, Yūnus 10:39.

<sup>152</sup> Al-Shāfi’ī seems to despise legal relativity that destroy the essence of legality. What is the point of qualifying something as legal when everything is possible?

<sup>153</sup> FWM, 1:537.

<sup>154</sup> Ibn Ḥazm, *al-Nubdhah al-Kāfiyah fī Aḥkām Uṣūl al-Dīn* (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1985), 20.

<sup>155</sup> FWM, 1:425.

(4) Al-Khaṭīb comprehensive (*iḥāṭah*) composition technique combining multiple sides, often opposing, of a subject. Cooperson challenges modern scholarship for attributing the first catholic biographical dictionary to Ibn Khallikān (681/1282). After a survey on *ṭāʾifah* (group) model in Islamic biographical dictionaries, he argues that the first move back to comprehensiveness was exemplified by works that adopt some criterion other than *ṭāʾifah*-affiliation as their basis of inclusion. According to him, *Tārīkh Baghdād* had included anyone of importance who had spent time in the city of Baghdād. The work encompasses a variety of *ṭāʾifas* including “caliphs, descendants of the Prophet, dignitaries, judges, legists, tradents, Qurʾān-readers, ascetics, righteous men, litterateurs, and poets.”<sup>156</sup>

## Conclusion

Al-Khaṭīb’s methodological writings illustrate the awareness of a *ḥadīth* and *fiqh* scholar of theological, legal and social problems in his surrounding. His journey to several Muslim cities exposed him to the marginalisation of *ḥadīth* studies due to several internal problems and the lack of intellectual approaches in explaining the foundation and principles of the discipline. His solution was then to encompass the *isnād*, *maʾnawī* and *darajāt* paradigms. Instead of associating scholars such as al-Khaṭīb to a certain *madhhab* or a set of legal principles, it is more appropriate, based on his methodological expositions, to analyse how these three paradigms were exploited in his undertakings. It is evident that even his favour of Shāfiʿism was due to its conformity to his envision of these three paradigms. Similarly, was his support of several rational tools such as *qiyās* and *tamaḥḥul*. *Ijtihād* was subsequently confined to those who have mastered the tools and his writings illustrated to some extent that it is beyond gender since accreditation and discreditation of narrators, and verification of *ḥadīth* were included as well in the forms of *ijtihād*. The study of legal tradition based on the narrative of four-*madhhab* paradigm has marginalised this concept of *ijtihād*. It was al-Khaṭīb who revitalised this subject and highlighted the crucial role of the *ḥuffāz* in the articulation of *Sharīʿah* and *Sunnī* Islam. With the

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<sup>156</sup> *Arabic Biography*, 13-17.

rise of a canonical culture around *ḥadīth* books, al-Khaṭīb attempted to advance the *ḥuffāẓ* as the balancing force and decisive authority in *ḥadīth* criticism. His idea of comprehensive criticism has shown that *ḥadīth* criticism was neither solely based on *isnād* nor *matn*, but is an expert-based criticism. The next chapter will elucidate how the concept of experience was employed in the fundamental principles of *ḥadīth* criticism.

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# **Chapter Five:**

## **Facts and Expressions**

## Overture

Following the outlines of al-Khaṭīb's methodological framework for seeking knowledge, this chapter examines al-Khaṭīb's conception of statements of knowledge. In both of his works, *Kitāb al-Faṣīḥ* and *Uṣūl al-Riwāyah*, he included observations on statements and their relations to the value of truth and falsehood. Following the line of thought defined by former Muslim scholars, al-Khaṭīb reviewed this subject under the topic *al-akhbār*, a topic that has been treated by legal theorists and sometimes theologians with regard to sources of knowledge and orthopraxy. More than a century later, Ibn al-Ṣalāḥ in his attempt to contrive a primary reference for *ḥadīth* criticism steered attention to al-Khaṭīb's classification of statement.<sup>1</sup> Recently, a modern *ḥadīth* scholar, Ḥātim al-ʿAwnī highlighted Ibn al-Ṣalāḥ's proposition that al-Khaṭīb was the first to import the term *mutawātir* in its "technical sense" into the field of *ḥadīth* studies, which eventually led to the awkward problem of defining *ḥadīth mutawātir*.<sup>2</sup> Hüseyin Hansu did not discuss this attribution while exploring the term *mutawātir* in *ḥadīth* criticism, yet his conclusion agrees with Ibn al-Ṣalāḥ that the term was foreign to early *ḥadīth* circles, thus furthermore asserts that its origin could be rooted in early epistemological exercises in the fields of theology and legal theory.<sup>3</sup>

### 5.1 *Mutawātir*, 'Ilm and Khabar

The author begins by exploring two important concepts alluded by al-Khaṭīb in the chapter on *akhbār* in *Uṣūl al-Riwāyah*; the forceful judgement of intellect (*qaḍā' al-ʿaql*) and reports of certain great number of individuals (*al-tawātur*).<sup>4</sup> These two devices, according to al-Khaṭīb, epistemically informs us on the veracity of a

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<sup>1</sup> Dickinson, *Introduction*, 190. See Dickinson study of the English translation of *mutawātir* here. Ibn al-Ṣalāḥ was seconded by Ibn Abī'l-Damm al-Shāfi'ī. See below.

<sup>2</sup> Ḥātim al-ʿAwnī, *al-Manhaj al-Muqtarah li-Fahm al-Muṣṭalah* (Saudi: Dār al-Hijrah, 1996), 91.

<sup>3</sup> Hüseyin Hansu, "Notes on the Term Mutawātir and Its Reception in Ḥadīth Criticism," *Islamic Law and Society* 16 (2009): 383-408.

<sup>4</sup> *al-Kifāyah*, 1:108.

statement. Let us propose two questions and explore the responses amongst classical theorists to trace the background behind these two devices.

The first question is: “Why” do we experience a visible object as existing?

The author encountered three major responses to this question. The first indicates that it is due to many inner statements produced by the thing or the event. Al-Juwaynī gave al-Shāfi‘ī’s example of witnessing a baby sucking milk from the breast. The nipple being inside the mouth, the sign of suction, the sign of epiglottal movement, the sign of swallowing and the gurgling sound prove that the milk arrives inside the baby.<sup>5</sup> Each of these circumstantial evidences, known as *qarā’in* (sing. *qarīnah*), produces a statement that by virtue of aggregation (*tawātur*) of these statements the intellect is forced to accept the occurrence of a thing. However, the same effect could not be imparted to a judge who did not experience the witnessing of the baby sucking the milk for some inner statements have been absent. According to al-Juwaynī, *qarā’in* could not be expressed immediately by even the best “sentences” (*al-qarā’in lā tuballighuhā ghāyāt al-‘ibārāt*).<sup>6</sup> Although this example is discussed in the sense of approving the concept of *qarā’in*, circumstantial evidences are in essence “ineffable statements” beyond expressional sentences. The multiplicity then imparts knowledge.

The second answer is inferred from al-Juwaynī’s mention of legal theorists who stipulate a connection between the knowledge and sensory experience.<sup>7</sup> One knows that an object exists because one senses it through his eyes, or ears, or touch, or other faculty of sense. In the above case, al-Juwaynī himself stated that the judge did not affirm the sucking of milk due to the lack of ‘*ayān* (he did not see it directly).<sup>8</sup> Intellectual force, therefore: requires *mushāhadah* (sensory experience) and the reason for its reasoning and judgment is its prior knowledge of sensory experience (*iḥsas*).

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<sup>5</sup> al-Juwaynī, *al-Burhan*, 1:575.

<sup>6</sup> Ibid, 1:576. Al-Juwaynī attributed the introduction of the concept of *qarā’in* to al-Nazzām (see below).

<sup>7</sup> Ibid, 1:568.

<sup>8</sup> Ibid, 1:575.



The third answer is based on al-Juwaynī's view on *'ilm* that occurs according to experiences (*'ādāh*).<sup>9</sup> This, according to al-Juwaynī goes back to circumstances (*qarā'in*) and they could not be defined or repudiated when they occur. Al-Juwaynī gave the example of knowing the anger of an angry person or the shyness of a shy person. There is no way for an explainer to conceptually construct the set of circumstances (*dabt al-qarā'in*) that produce the effect of knowing them. However, al-Juwaynī here had left out the underlying force for *qarinah* to be recognised as *qarinah*, which according to the second answer is human sensory experience. It explains the reason for human recognition of evidence as evidence. Nevertheless, al-Juwaynī concluded at the end that *tawātur* ultimately belongs to the domain of experience (*'ādah*).<sup>10</sup> We can infer from this answer that it also indicates that *tawātur al-qarā'in* (accumulation of circumstantial evidences) is what makes the intellect forces the knowledge that the thing is it is or the object exists or the event occurs. However, this *tawātur* could not be confined and defined.

The second question is: What makes us accept irresistibly “at times” the veracity of statements of “many” individuals?

There are also three responses for this. The first is al-Bāqillānī's answer. For al-Bāqillānī, we found (*wajadna*) that the knowledge produced by statements of “many” is at the same level with knowledge we perceived (*adraka*) through our senses, and at the same level with what we found (*wajada*) in ourselves with the absence of doubt, and that the same knowledge is shared by women, public and uneducated person who are not exercising intellectual speculation (*naẓar*).<sup>11</sup> Al-Bāqillānī did not instruct us how this level is formed in our mind. According to al-Juwaynī, al-Bāqillānī was also uncertain in determining how many “many” that produces this effect.<sup>12</sup>

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<sup>9</sup> Ibid, 1:574.

<sup>10</sup> Ibid, 1:582.

<sup>11</sup> al-Bāqillānī, *Tamhīd*, 383.

<sup>12</sup> al-Juwaynī, *al-Burhān*, 1:573.

The second response is similar to the response to the previous question. The report of many on a certain object is recognised as true necessarily with regard to the existence of that object because we know that “the many” rely on sense (*mustanaduhum al-ḥiss*). This stems from the underlying notion that speculation is a locus of divergent intellects (*al-naẓar muḍṭarab al-‘uqūl*); hence, it may produce conflicts.<sup>13</sup> When the reports of many did not conflict each other, it is a sign that “the many” did not invent the object speculatively and that “the many” collectively obtained the knowledge through sensory experience.

The third response retraces the subject back to the experience of *tawātur al-qarā’in*. As we experience some knowledge, we retrospect the “many” surrounding inner statements that force our intellect to have that knowledge irresistibly.<sup>14</sup> According to al-Juwaynī, it is interesting that “many” is also a *qarīnah*, hence, in this current study; it is also an ineffable statement. It is possible that we do not rely only on “many”, but a set of statements accompanying the “many”.

Nonetheless, in the responses to this second question, the “set” cannot be confined and defined as well, for ultimately, the certainty (the stop of intellectual demand for more evidence) is relative from one person to another. As cited by Zysow, al-Ghazālī later on discussed the difficulty involved in determining how many number of evidences makes knowledge *ḍarūrī* (irresistible) to a person.<sup>15</sup> Al-Ghazālī, here avoided hypothetically the concept of *qarā’in* and focused mainly on testing the possibility of number in producing certainty and result.

The responses to these two questions illustrate how the experience of knowledge and the reports of many conflated. In both discussions, the notion of *tawātur* in the sense of corroboration is present. Whether the knowledge is imparted by a set of *qarā’in* (circumstantial evidences) or by a group of *a’yān* (sensing individuals), both convey statements, ineffable or uttered, and the “set” of these statements cannot be confined and defined in its way of consolidating certainty.

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<sup>13</sup> Ibid, 1:567.

<sup>14</sup> Ibid, 1:580.

<sup>15</sup> Zysow, *The Economy*, 10, al-Ghazālī, *al-Mustaṣfā fī Uṣūl al-Fiqh*, ed. Hamzah Zuhayr (Madinah: 1413), 2:١٥٠-152.

This explains why the discussions on *tawātur* lingered around the experience of knowledge and the retrospective modes of acknowledging.

## 5.2 *Mutawātir and Sunnah*

Another background study is inevitable here because of the confusion that occurs in this matter when related to the subject of *Sunnah*. The aim is to trace the beginning of the encounter between the concept of *tawātur* and the concept of *Sunnah*. More than half a century ago, Joseph Schacht steered the attention of the academic world into the ideals of ancient schools. He proposed that Muḥammad ibn Idrīs al-Shāfiʿī (204/820) was the first Muslim scholar who successfully layered a distinctive classification of *khavar* with the aim of bestowing Prophetic tradition an overriding authority against the more liberal doctrine of the ancient schools.<sup>16</sup> For Schacht, *khavar al-wāḥid*, which denotes an individual report, was a familiar negative phenomenon to the ancients that the emergence of the idea of *al-Sunnah* as well as its identification through individual reports turned as a strange phenomenon to the schools.<sup>17</sup> In reading al-Shāfiʿī's classification, Schacht proposed 'transmissions' by many to many (*mā rawāhu al-kāffah* 'an *al-kāffah*) as synonymous to widespread tradition (*khavar al-tawātur*) and that both stand as counterparts to *khavar al-khāṣṣah*, describing the former as the requirement of the theologians to establish dogmatic truth. The role of al-Shāfiʿī has been probed, contested and analysed extensively in modern discourses.<sup>18</sup> Ancient schools have been identified with ideals such as principle-based *Sharīʿah*, 'amal-based *Sharīʿah*, *ra'y-cum-ilm*-based *Sharīʿah*, commonsensical-based *Sharīʿah*, alongside the transmission of events of the past (time of the Prophet) carried around in many modes (*qīṣaṣ*, *faḍā'il*, *sīrah*, etc.) and "sometimes" referenced in legal decision, either verbatim, partial allusion or in spirit.<sup>19</sup> The use of the word *Sharīʿah* here does not indicate that scholars in this

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<sup>16</sup> Schacht, *Origins*, 58.

<sup>17</sup> Ibid, 51.

<sup>18</sup> Vishanoff, *Islamic Hermeneutics*, 12-13.

<sup>19</sup> Certain undetermined principles produce uniformity in early Islamic Law. Benjamin Jockish, *Islamic Imperial Law* (Berlin: De Gruyter, 2007) 59-63, Yasin Dutton, *The Origins of Islamic Law: The*

period invented new codes of law for Islam, rather, every scholar and judge viewed their conduct as a legal actor as having a basis in *Sharī'ah* through coteries of channels mentioned above. However, the vast area of Islamic world has witnessed various and conflicting ideas of *sharī'ī* judgements, despite the concept of Prophet as an example, the concept of Revelation as guidance, and the concept of scholars as interpreters of *Sharī'ah* (Islamic Law) in their governing activities have always been around. To reiterate Schacht's thesis with an amendment, al-Shāfi'ī came to connect these three canons and provide a hermeneutical "framework" that maintains the Prophetic model as an intermediary between Revelation and Islamic Law. To use the Arabic word, it is a construct of *Sunnah*-based *istinbāt* that later developed into legal hermeneutic and influenced elements in legal theory. It denotes scholarly hermeneutical endeavours grounded in the conduct of the Prophet, who acted as the interpreter of the Qur'ān, and thus in effect, became a model for solving unprecedented legal cases. *Istinbāt*, then, encompasses two dimensions: the understanding (*fiqh*) of received authoritative texts from the past and the imitative reasoning to solve cases without precedents.<sup>20</sup> In the view of the Shāfi'īs, al-Shāfi'ī holds that 'ilm is obtained in two modes: *ittibā'* (imitation of precedence) and *istinbāt* (imitative reasoning for unprecedented).<sup>21</sup>

The reception of al-Shāfi'ī's formalised framework can be attested from the rise of the new genre that reflects *al-sunan* (Prophetic legal models) amongst his

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*Qur'an, the Muwaṭṭa' and Madinan 'Amal* (Richmond, Surrey: Curzon Press, 1999), Juynboll, *Muslim Tradition*, 11-23, Vishanoff, *Islamic Hermeneutics*, 26, 35 and 255.

<sup>20</sup> In the domain of text, *istinbāt* treats the nature and function of the language of revelation, which has triggered al-Shāfi'ī's theory of *bayān* and his major exploit of the problem of ambiguity. In the domain of legal thought, it inspects the legal implication of God's speech and the role of reason in defining what is *sharī'ī* in a legal case. This term covers all the following; Wheeler's view that al-Shāfi'ī presented text-based epistemology; Lowry's assertion that al-Shāfi'ī was concerned with the relationship between Revelation which is fixed and Law that includes human manipulations of text; and Vishanoff's conclusion that al-Shāfi'ī assigned key interpretive roles to the Prophet's *Sunnah*, which defines a new canon of Revelation as the basis for the existing canon of Law and structures a hermeneutical and epistemological relationship between the two. Brannon Wheeler, *Applying the Canon in Islam* (Albany: State Univ. of New York Press, 1996), 43-58, Lowry, *Legal Theory*, 273, Vishanoff, *Islamic Hermeneutics*, 34, 44, 62-65, El Shamsy, *The Canonisation of Islamic Law* (cited earlier).

<sup>21</sup> al-Shāfi'ī, *al-Umm* (Egypt: Dār al-Wafā', 2001), 10:113.

colleagues and students.<sup>22</sup> The *Sunan* of Abū Qurrah (203/818) of Yemen,<sup>23</sup> the *Sunan* of Saʿīd ibn Manṣūr (227/842),<sup>24</sup> and the *Sunan* of al-Dārimī (255/869)<sup>25</sup> were examples of *ḥadīth* collections that become infused with legal vision in its division of topics. These works triggered the latter genre, which al-Khaṭīb called *ṣiḥāh* works (legally binding report collections) including the *Ṣaḥīḥayn*, *Sunan Abū Dāwūd* and *Sunan al-Tirmidhī* (titled *al-Jāmiʿ*). Scott Lucas named the phase that begins towards the end of al-Shāfiʿī's life as the age of the “six books” (ca. 200-300/815-912) following al-Dhahabī's personal reconstruction of the chronology of *ḥadīth* scholarship.<sup>26</sup> Lucas argues against the influence of al-Shāfiʿī, although the trend of *ḥadīth* collections in this period is incipiently legalistic and globalised beyond local or regional circulation. The trend follows the framework of *Sunnah*-based *istinbāt* that provides a more universal instruction of *raʾy cum ʿilm* and begins to challenge local circles and reasoning of *Sharīʿah*. The notion of *isnād* that previously connoted personal “reliable relationship and transmission” was infused with the sense of “legally binding” amongst the traditionists.

Al-Shāfiʿī was not widely celebrated for comprehensive *tafsīr* method,<sup>27</sup> sophisticated legal theory:<sup>28</sup> technical criticism of *ḥadīth*:<sup>29</sup> or even transmission of

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<sup>22</sup> It differs from early genres such as personal collection titled with *musnad* or *jāmiʿ* and the works known by the title *muṣannaf* such as *Muṣannaf ʿAbd al-Razzāq*. It is also reflected in personal *istinbāt* that does not necessarily transmit al-Shāfiʿī's personal legal judgements such as in the projects of Four Muḥammads, namely, Muḥammad ibn Jarīr al-Ṭabarī (310/922), Muḥammad ibn Ishāq Ibn Khuzaymah (311/923), Muḥammad ibn Naṣr al-Marwazī (294/906), Muḥammad ibn Ibrāhīm Ibn al-Mundhir al-Naysābūrī (318/930). They, together with Abū Thawr (240/854) and al-Muzanī, were considered absolute *mujtahids* and produced many *tafarrudāt* (independent legal doctrines) due to what seems to be *Sunnah*-based *istinbāt*. See: Hallaq, *Authority*, 59-61.

<sup>23</sup> A recipient from Mālik and Abū Ḥanīfah and a teacher of Ibn Ḥanbal. Mughulṭay, *Ikmāl Tahdhīb al-Kamāl* (Cairo: al-Fārūq al-Ḥadīthah, 2001), 12:20. See Chapter Two, al-Khaṭīb's Library.

<sup>24</sup> A teacher of Ibn Ḥanbal. *Siyar*, 10:586.

<sup>25</sup> He authored two works in *ḥadīth*, *Sunan* that was sometimes called *al-Jāmiʿ al-Ṣaḥīḥ* and *Musnad*. It is possible that he was the first to author a collection of *ṣaḥīḥ ḥadīth*. He was the teacher of al-Bukhārī, Muslim, Abū Dāwūd and al-Tirmidhī. *TMS*, 11:209, al-Ziriklī, *al-Aʿlām*, 4:95.

<sup>26</sup> *Constructive*, 73.

<sup>27</sup> Vishanoff, *Islamic Hermeneutics*, 15.

<sup>28</sup> Wael Hallaq, “Was al-Shāfiʿī the master architect of Islamic jurisprudence?” *International Journal Of Middle East Studies* 25 (1993): 587-605.

*ḥadīth*.<sup>30</sup> Yet, his compelling liberal framework<sup>31</sup> that features aspects from these areas has enabled “reports” of binding *Sunnah* to confidently enter legal debates.<sup>32</sup> As *ḥadīth* works of the traditionalists began to apply a more systematic transmitter-criticism upon *khābar*, early legal theorists and somehow theologians began to react by attempting to define “a compelling statement.” Complete rejection of individual reports in the sense of its legitimacy to compel argument unto others was attributed to Bishr al-Marīsī.<sup>33</sup> Hierarchical grading of epistemology was transmitted from the Ḥanafī judge, ʿĪsā ibn Abān that will later serve as the model for most systematic and tri-partial classifications of reports in classical legal theory, perhaps due to Ibn Surayj’s synthetisation between the Shāfiʿī and the Ḥanafī paradigms in Baghdād.<sup>34</sup> Multi-regional measure was proposed perhaps earlier as could be learned from the argument of al-Shāfiʿī’s interlocutor in *Jimāʿ al-ʿIlm*.<sup>35</sup> This was later adopted by some Ḥanafīs in their condition for *tawātur* that Zysow translated as controverted conditions.<sup>36</sup> Numerical measure was proposed by Abū’l-Hudhayl al-ʿAllāf as observed by Van Ess. Abū’l-Hudhayl was said to propose twenty Companions with one of them guaranteed paradise as the criteria for certainty and decided on four narrators for a report to be considered probable of bearing truth.

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<sup>29</sup> *Constructive*, 151.

<sup>30</sup> *TFZ*, 1:265.

<sup>31</sup> He replaced *taqlīd* to early men with *ittibāʿ* that accommodates the general aims of their doctrines. *al-Ihtijāj bi’l-Shāfiʿī*, ٣٨.

<sup>32</sup> Al-Khaṭīb cited the leader of *aṣḥāb al-ḥadīth*, Ibn Ḥanbal as saying, ‘Should one day *aṣḥāb al-ḥadīth* exercise intellectual disputation (Ibn Ḥanbal used *takallama* instead of *rawā*), they follow the intellectual language of al-Shāfiʿī.’ *al-Ihtijāj bi’l-Shāfiʿī*, 40. Wadad al-Qāḍī did not tell us whether the rise of Nābita has any connection to Shāfiʿism.

<sup>33</sup> al-Dārimī, *Naqd ʿUthmān ibn Saʿīd al-Dārimī ʿalā al-Marīsī al-Jahmī al-Anīd* (Cairo: al-Maktabah al-Islāmiyyah, 2012), 244-245.

<sup>34</sup> Murtaze Bedir, “An Early Response to Shāfiʿī: ʿĪsā ibn Aban on the Prophetic Report (Khābar),” *Islamic Law and Society* 9 (2002): 285-311, Hallaq, *Authority*, 45-46. The tri-partial classification reflects the notions of: (1) *ḍarūrī*, (2) *mashhūr/tawātur istidlālī*, (3) *āḥād*. For more on the middle tier (*mashhūr*) and its replacement with *ṣaḥīḥayn* paradigm, see: Brown, *Canonization*, 183-193.

<sup>35</sup> al-Shāfiʿī, *Jimāʿ al-ʿIlm* (Egypt: Maktabah Ibn Taymiyyah), 76.

<sup>36</sup> Zysow, *Certainty*, 11.

This was allegedly derived from certain indicative-texts in the Qur'ān.<sup>37</sup> Regardless of the authenticity of these attributions, Van Ess argues that this reminiscence of ancient memory did give an impression of an authentic kernel of discussion held in the early days.<sup>38</sup> We notice that it is within this milieu that the concept of reports of “many” and sometimes “multi-regional conditioned reports” enter the discussion on *Sunnah*. Traditionists somehow did not involve in advancing general epistemological theory of compelling report for their experience of certainty is based on potentiation of every single report, case by case. Even reports of one single individual tradent differ in its degrees of persuasive effect.

### 5.3 Facts, *Ijmā'* and *Mutawātir*

Obvious facts are usually not reported and documented. The fact that one woke up this morning is not normatively reported. However, if one woke up and fell painfully, it is more likely to be recounted to a friend. Similarly, the collections of reports did not verbalise obvious facts and how many people convicted those facts. The compilers did not write a statement “there is a Prophet named Muḥammad and one thousand people believed it” for it was an obvious fact. Sources will only record statement such as “I am Muḥammad ibn ‘Abd Allāh ibn Abdul Muṭṭalib,” for the genealogical input it conveys. There is no necessity to write the sentence “there was a city called Makkah where the opponents of the Prophet resided” in *ḥadīth* records. However, reports of history may contain these statements implicitly. Due to obviousness, many statements of facts are carried together without “utterances” or “expressional sentences.”

From the beginning, al-Shāfi‘ī, Wāṣil and al-‘Allāf himself had been pointing to the fact of these obvious incontrovertible historical facts.<sup>39</sup> However, when the

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<sup>37</sup> TUG, III:266-267, IV:650-651. Van Ess, “L’autorité de la tradition prophétique dans la théologie mu’tazilite,” *La notion d’autorité au Moyen Âge: Islam Byzance, Occident* (Paris: 1982), 211ff.

<sup>38</sup> Van Ess, *The Flowering of Muslim Theology*,

<sup>39</sup> According to Wāṣil, the truth is known through four channels: the *kitāb*, statement agreed by everyone (*khābar mujtama’ ‘alayhā*), rational evidence (*ḥujjat ‘aql*), and consensus (*ijmā’*). For al-‘Askarī, Wāṣil was the first to postulate this and the first to divide *khābar* into general (*‘āmm*) and specific (*khāṣṣ*). Wāṣil defined *ḥujjah* as ‘every *khābar* dismissed from a possibility of [previous] concordance and collaboration (*al-tawāṭu’ wa al-tarāsul*) or [possibility for] an agreement of the

works merge this fact with the qualifying concepts such as *ijmā'*, *naql al-āmmah* 'an *al-āmmah*, *mā rawāhu al-kāffah* 'an *al-kāffah*, Wāṣil's *al-Sunnah al-mujtama'* *alayhā*, obvious historical facts were intertwined with later debate on *ijmā'* in legal theory. This actually stems from the attempt to define facts. In *Jimā' al-ʿilm*, al-Shāfiʿī approved that “the prayer of *ḡuhr* consists of four cycles of bow” is a fact. No one with sound mind will contest the veracity of this fact, even though the correct way of praying may be contested. Believers and non-believers alike witnessed Muslims perform it that way. Nevertheless, when he defines *ijmā'* in the same work, he used the expression, ‘it is when you say “people agreed (*ajmaʿa al-nās*),” you will find no one who is able of cognition of something will say people have not agreed.’<sup>40</sup> This is the instance where facts are connected with public mental agreements. As for the conflation of fact with *tawātur*, *Jimā' al-ʿilm* reported that al-Shāfiʿī's interlocutor had proposed another way of knowing facts that can be employed to establish *Sunnah* which he calls *tawātur al-akhbār*.<sup>41</sup> He first proposes a multi-regional condition.<sup>42</sup> Al-Shāfiʿī argues that this idea returns in ultimate inspection to the concept of individual report since every region transmits from a single line. His interlocutor then proposes four different strands for every transmission. Al-Shāfiʿī refutes this by saying that it does not exist at all. People have never recorded four lines from al-Zuhrī, for instance, and later on, four lines from each of the first four. Al-Shāfiʿī then asks his interlocutor, what is the difference between three, four, five, and even seventy? Who came with the idea of four?<sup>43</sup> Hence, for al-Shāfiʿī, there are only two

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concordance itself (*al-ittifāq* 'alā 'ayn *al-tawātu'*). Revelation in these events should be thrown away (*muṭṭarah*).’ Abū Hilāl al-ʿAskarī (395/1005), *al-Awā'il* (Tanta: Dār al-Bashīr, 1408/1987), 374, 'Abd al-Jabbār, *Faḍl al-ʿitizāl wa Ṭabaqāt al-Mu'tazilah* (Tunis: al-Dār al-Tūnisiyyah, 1974), 234, *TUG*, II:279-280 and IV:649-650.

<sup>40</sup> *Jimā' al-ʿilm*, 66. Elsewhere, al-Shāfiʿī defines *ijmā'* by saying, ‘I will not say and neither any of the scholar will say “this certain article (*hādhā*) is *ijmā'*”, except to a matter that whenever you meet any scholar, he will definitely say the same thing and report the same thing from people before him. The examples are like “*ḡuhr* is four cycles,” “wine is forbidden” and so on and so forth.’ His examples represent necessarily incontrovertible facts concerning Islam. *al-Risālah*, 534.

<sup>41</sup> I thank Ḥātim al-ʿAwnī for locating the concept of *tawātur* in al-Shāfiʿī's work that stands in extreme opposition to Schacht thesis.

<sup>42</sup> *Jimā' al-ʿilm*, 76-80.

<sup>43</sup> *Ibid*, 82.



groups of statements that convey the *Sunnah*: obvious incontrovertible facts and reports that necessarily involve limited number of individuals at any level of transmission. However, when ‘what all people know as facts’ is expressed by *khavar al-‘āmmah* (reports of public), *al-kāffah ‘an al-kāffah* (reports from all to all), *ijmā’ al-nās* (agreement of people), it is conflated with numerical or multi-regional *tawātur* that al-Shāfi‘ī himself considered as otiose and conflated with *ijmā’* that will be developed in later legal theory.

#### 5.4 Revisions of Numerical and Expressional *Khavar*.

Al-Nazzām may have attempted to revise al-Allāf’s numerical postulate. However, he found a more attractive concept to assail. He contested the concept of the *ijmā’* of many. If a group of blind people are brought together, they see no better than they did before, he averred as van Ess ascribed to him.<sup>44</sup> For scholars like al-Khaṭīb, the attack on *ijmā’* is absurd. Al-Khaṭīb had two types of *ijmā’* in his mind: *ijmā’ al-‘āmmah wa’l-khāṣṣah* (knowledge of everyone) and *ijmā’ al-khāṣṣah* (collective conclusion of experts). For the first type, al-Khaṭīb gave the examples of Ka’bah as the direction for prayer, fasting Ramaḍān, the obligation of pilgrimage, etc., which are incontrovertible facts related to Islam for a sound mind. According to al-Khaṭīb, whoever rejects this *ijmā’*, would in effect, practise disbelief (*kufr*). As for the second type, he gave several legal articles, which we find reported as well as *ḥadīth* such as no bequest for an heir. Al-Khaṭīb is of the view that whosoever rejects this agreement should be instructed and presented with evidences. If he remains persistent, it should be said to him, ‘You just want to disagree with the truth (*al-ḥaqq*) and its people.’<sup>45</sup> Al-Nazzām, however, was speculating on the possibility of mistake in any conclusion made collectively. It may not concern “the fact” which is not based on collective inference. Nevertheless, the consequence, according to Van Ess, is an attack on *tawātur*.<sup>46</sup>

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<sup>44</sup> TUG, III:385-386 (Die Problematik des ijmā’).

<sup>45</sup> FWM, 1:434.

<sup>46</sup> Van Ess suggested that it also had consequence on *ḥadīth* deemed as *mutawātir*, although the author does not know of anyone who qualifies *ḥadīth* with *mutawātir* by the time of al-Nazzām.

Al-Jāḥiẓ then made the classification of *khavar* more precise.<sup>47</sup> His writing indicates that certainty is attained by either seeing the perceptible (*al-‘ayān al-ẓāhir*) or observing a widespread *khavar* (*al-mutaẓāhir*).<sup>48</sup> As for objects that are not visible to the naked eye, al-Jāḥiẓ explained that we know it through statements which are; conveyed by friend and foe, good and bad person alike: widespread (*mustafīḍah*) amongst people: and no burdening speculation is required upon the hearer to verify it (*lā kulfat ‘alā sāmi‘ihā li taṣḍīqihā*). He did not give an example but his definition seems to correspond to al-Shāfi‘ī’s *ijmā‘ al-nās*. However, al-Jāḥiẓ makes it more complicated as he names this class as *al-akhbār al-mutawātirah*. Then, al-Jāḥiẓ explains the second level of *khavar*, which denotes statements transmitted by a group of people whose conditions, such as the far distance between them, deny the possibility of previous conspiracy and forgery (*khavar lā yumkin fī mithlihi al-tawātu’*). This corresponds to what el-Omari called *tawātur* as held by Wāṣil.<sup>49</sup> From this perspective, al-Jāḥiẓ differs from Wāṣil in his definition and level of *mutawātir*. However, the first two types of *khavar* yield certainty. Al-Jāḥiẓ third level of *khavar* is individual reports whose veracity we infer by way of *husn al-ẓann* (fair judgement) and trust on the ‘*adāla* (integrity) of its transmitter. It is the same principle applied by the *muḥaddithūn* for accepting *ḥadīth* except that al-Jāḥiẓ seems to have never met *muḥaddithūn* who exhibit understanding of ‘*illa* (hidden flaw) in *ḥadīth*.<sup>50</sup>

Abū’l-Qāsim al-Balkhī and Abū’l-Ḥusayn al-Baṣrī are amongst scholars who viewed this subject the other way around. In his work *al-Mu‘tamad*, al-Baṣrī seems to support al-Balkhī’s view that *tawātur* is a product of acquired knowledge (*muktasab*), since according to al-Baṣrī; it is based on prior arrangement of a set of conclusive knowledges (*mā waqafa wujūduhu ‘alā tartīb ‘ulūm*).<sup>51</sup> As we have learned from al-Juwaynī, necessarily imparted knowledge may be qualified by way of retrospection

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<sup>47</sup> al-Jāḥiẓ, *Risāla al-Ma‘āsh wa’l-Ma‘ād*, in *Rasā’il al-Jāḥiẓ*, ed. ‘Abd al-Salām Hārūn (Cairo: Maktaba al-Khānījī), 1:119-120

<sup>48</sup> al-Jāḥiẓ, *Risāla fī Istinjāz al-Wa’d*, in *Rasā’il al-Jāḥiẓ*, 4:221.

<sup>49</sup> El-Omari, “Accommodation and Resistance ...”, 234.

<sup>50</sup> al-Jāḥiẓ, *al-Ḥayawān*, 1:166

<sup>51</sup> Abū’l-Ḥusayn al-Baṣrī, *al-Mu‘tamad fī Uṣūl al-Fiqh* (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1982), 2:81.

with certain modes such as reports by many. We came to think of reports of many as a source only after the realisation of knowledge. Al-Baṣrī viewed it on the contrary. He argues that in order to hold that knowledge produced by *tawātur* is necessary; we should already have some kind of prior reasoning, i.e. accepting the conditions for recognising veracity. Therefore, the knowledge we obtained from *tawātur* is substantially a result of pre-acquaintance. Al-Baṣrī has given some other arguments to prove that *tawātur* yields acquired knowledge.

The idea of *iktisāb* here may have been influenced by the concept of *tawallud* (productive arrangement) held by the Muʿtazilites. Abū'l-Ḥasan al-Ashʿarī, therefore: advanced another way of expressing the concept of *ḍarūrī* in *tawātur*. The realisation of knowledge is not necessarily linked with certain number (*ʿadad*) or condition (*ḥadd*). *Khabar* according to him is not the real producer of knowledge. The relation of knowledge with *khabar* is like the one between having a son and intercourse or growing a plant and a seed. The relationship stems from the law of *ʿadah*. Hence, in the sense of *ʿadah*, the *mutawātir* constitutes knowledge. However, the very same knowledge could also be realised prior to *mutawātir* (*ibtidāʿan*) or through a solitary report.<sup>52</sup> God may also impart any knowledge in humans without the need for intermediaries. Hence, knowledge can be either *ḍarūrī* or *iktisābī*, or *ḍarūrī iktisābī* as well. The necessary knowledge is relative from one person to another due to *ʿaqabāt* (obstacles).<sup>53</sup>

As for the division of statements of *Sunnah* in the realm of *ʿadah*, al-Ashʿarī provided what the following may represent:

1. *Sunnah* facts known by everyone, generation after generation, e.g. the existence of the Prophet Muḥammad: that he had a mission: etc.
2. *Sunnah* facts known and practised, e.g. obligatory prayers, number of bows in prayers, ablution, etc.

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<sup>52</sup> Ibn Fūrak, *Mujarrad*, 18.

<sup>53</sup> Ibid, 12-14, *iktisābī* may also be known in *ḍarūrī* way.

3. *Sunnah* identified by groups of experts that it yields the same effect as incontrovertible historical facts, e.g. wiping the leather footwear, no bequest for an heir, etc.
4. Report of individuals (*ḥadīth*) that obligates action but its veracity cannot be terminally concluded (*lā yuqta‘ ‘alā mughayyabihi*).<sup>54</sup>

The Asharīs have also informed that *khavar* is essentially an inner statement (*ma‘nā*). Al-Bāqillānī defined *khavar* as what corresponds to either truth “or (*aw*)” false. Prior to him, *khavar* has been defined as what corresponds to truth “and (*wa*)” false. Al-Bāqillānī changed the conjunction to “or” for a statement cannot be qualified with two opposite qualities at the same time.<sup>55</sup> Al-Bāqillānī then asserted that, in essence, *khavar* is an inner meaning carried in a being or an essence (*ma‘nā qā‘im bi‘l-nafs*) and expressions are indications (*al-‘ibārāt tadull ‘alayhi*). This is an extremely crucial statement for it shifts our understanding of *khavar* from transmitted sentences to uttered idea. Al-Khaṭīb followed al-Bāqillānī’s exact wording for the definition of *khavar* in *Uṣūl-al-Riwāyah* including the conjunction.<sup>56</sup> For this reason, the above multiple conceptions on *tawātur*, *khavar* and *ḍarūrī* must be considered when reading al-Khaṭīb’s treatment of this subject.

### 5.5 Al-Khaṭīb and *al-Sunnah al-Mutawātirah*

When al-Khaṭīb wrote his books, he was concerned with theoretical grounding due to his idea that the best expositor is the one who provides *jawāb naẓārī* (speculative deliberation), before *jawāb fiqhī* (explanation of traditional proofs). He seems to reiterate the division advanced by the theologians and legal theorists. Yet, it was slightly altered and perfectly suitable for the materials he had in his mind. Under the chapter “The *Sunnah* received directly from the Prophet and through others from him” in *Kitāb al-Faqīh*, al-Khaṭīb asserted:

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<sup>54</sup> Ibid, 23.

<sup>55</sup> al-Juwaynī, *Talkhīṣ*, 2:275 See Abū‘l-Muẓaffar al-Sam‘ānī’s refutation on al-Baqillani’s argument in *Qawāṭi‘ al-Adillah*, 1:323.

<sup>56</sup> *al-Kifāyah*, 1:108.

‘The *Sunnah* is of two states: The first is when it is received directly from the Prophet. It is mandatory upon every single Muslim to accept and testify upon it whether it commands obligatory, preferable, permissible or prohibited acts. Whosoever rejects it has committed *kufr* (disbelief), for he has accused the Prophet of lying in his statement. Whosoever (from the Muslims) accuses the Prophet of lying in his statement has committed apostasy and should be asked to repent. If he refuses, he should be sentenced to capital punishment.

The second is [when the *Sunnah* is] received through [reported] statements related to him. The explanation for this type is made in two sections. The first concerns the attribution of the statement to the Prophet.<sup>57</sup> The second concerns the circumstances of its content (*matn*).<sup>58</sup>

As for the content, al-Khaṭīb explained that a meaning of a text could either be in normative usage or permissive usage, being general or particular, being summarised or elaborated, and being abrogating or abrogated.<sup>59</sup>

As for the attribution of statements, al-Khaṭīb following other legal theorists divided them into two: *tawātur* and *āḥād*.<sup>60</sup> However, his treatment of *tawātur* differs from them. He does not define *tawātur* at all; rather he lists several historical facts, which may serve to establish *Sunnah*.<sup>61</sup> They include:

1. The Prophet migrated from Makkah to Madinah.
2. He died in Madinah.
3. He was buried in Madinah.
4. His mosque is at Madinah.
5. His pulpit is at Madinah.
6. He honoured his companions.
7. He cared for his companions.

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<sup>57</sup> It is very crucial to note that the term *isnād* used by al-Khaṭīb here does not refer to the technical definition of *sanad*. He will explain *sanad* under the category of *āḥād*.

<sup>58</sup> *FWM*, 1:276.

<sup>59</sup> *Ibid*, 1:293.

<sup>60</sup> Al-Khaṭīb will discuss this concept after several passages under the category of *musnad*.

<sup>61</sup> *FWM*, 1:276.

8. He opposed Abū Jahl and the polytheists.
9. He revered the Qur'ān.
10. He argued by the Qur'ān.
11. He argued that it is a revelation.
12. There are a number of obligatory prayers.
13. The prayers have a number of bows.
14. The prayers have certain basic movements (*arkān*).
15. The movements in the prayers are in certain order.
16. *Zakāt* is an Islamic obligation.
17. Fasting is an Islamic obligation.
18. Pilgrimage to Makkah has been established.

These are the examples of what al-Khaṭīb calls *tawātur min ṭarīq al-lafẓ*. One will immediately recognise these as historical facts shared by everyone who knows about Islam, believers and non-believers alike, at least in the mind of al-Khaṭīb. We cannot say that al-Khaṭīb meant by this group, statements or meanings carried by the transmitters or implicitly reported in *ḥadīth* corpus since these will be included in al-Khaṭīb's *tawātur min ṭarīq al-ma'nā*. The elaboration of this second group will be given in the next chapter.

Tāriq 'Awaḍullah noted that this exposition of al-Khaṭīb suggests that it is not a condition of *tawātur* to have a complete phrase of text (*lafẓ al-ḥadīth*) reported by a large number of narrators; rather the requirement is for a certain meaning to be specifically mentioned (*manṣūṣan*) in various *riwāyāt* (reports) even though with different wordings.<sup>62</sup> 'Awaḍullah's interpretation, however, does not clearly distinguish between *tawātur min ṭarīq al-lafẓ* and *tawātur min ṭarīq al-ma'nā* of al-Khaṭīb.

The author proposes that al-Khaṭīb's concept was the idea of incontrovertible historical facts related to Prophet. Arguably, he did not say the phrase "*an yarwīya* (to report)" when he listed these facts. However, when he defined *tawātur ma'nawī*, he stated that 'it is when multiple groups report (*yarwī*) various [events or subjects] (*yaqa'u bihi 'ilman*), where there is one same general spirit that appears in their unrelated accounts.' Thus, the shared meaning in these

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<sup>62</sup> Tāriq 'Awaḍullah, *Sharḥ Lughat al-Muḥaddith Manẓūmat fī 'Ilm Muṣṭalaḥ al-Ḥadīth* (Egypt: Maktabah Ibn Taymiyyah, 2002), 96.

divergent accounts is similar in status to the historical facts that are shared by everyone and at times uttered (*lafẓ*).<sup>63</sup> Nevertheless, for the fact that obvious historical facts come to later generation through reports, it is easily apprehended as to why they were discussed as *akhbār*. In summary, the best way to translate al-Khaṭīb's two types of *tawātur* based on his examples is: (1) Facts shared by everyone and at times expressed in utterance (*lafẓī*), (2) Facts known through conclusion from the aggregate of unrelated reports (*min ṭarīq al-ma'nā*).

When al-Khaṭīb came to his work on reports, *Uṣūl al-Riwāyah*, he did not divide facts into obvious facts and concluded facts. He explained what is meant by *tawātur* in *akhbār*. However, his “*akhbār*” features more as statement rather than report. The example for these *akhbār* is *ḥudūth al-aqsām* (bodies are created): *ithbāt al-ṣāni‘* (the made thing has a maker): and that the concept of *a'lām al-rusul* (messengers have signs) is true. These are not *ḥadīth*. Hence, when he spoke of *tawātur al-akhbār* in this book, he was not associating it with *ḥadīth*. He was simply mentioning that in the case of human reports, they are divided into two; reports by many and reports by a single or a number of individuals. However, he was concerned with epistemology that he had to associate reports of many with *al-‘ilm al-ḍarūrī*. Therefore, he defined it as ‘what is reported by a group of individuals whose number reaches the extent that it is impossible within their timeframe that they had conspired to lie, and that concordance in the period of the circulation of the report is not feasible, and that the report is not a result of misleads and confusions, and that reasons for being forced and suppressed to invent lies are inconceivable.’<sup>64</sup>

The author did not find any relation al-Khaṭīb provided between this definition and *ḥadīth*. He related this definition to statements that we know as necessarily corresponding to the fact. In fact, it was found in *Talkhīṣ al-Mutashābih* that al-Khaṭīb while identifying the real name of a companion said: ‘The truth in his name is Wahb ibn Khanbash. This is how al-Shā‘bī stated it as reported from him in

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<sup>63</sup> FWM, 1:277.

<sup>64</sup> *al-Kifāyah*, ١: ١٠٨-109.

a *tawātur* way by many *ḥuffāz*.<sup>65</sup> This is the example of al-Khaṭīb's concept of *tawātur* report that follows exactly how some legal theorists defined it.

Furthermore, al-Khaṭīb only mentioned “*al-akḥbār allatī yanquluhā aṣḥāb al-ḥadīth* (*ḥadīths* transmitted by traditionists)” in the third category of reports; reports which are undeterminable as to whether it represents the actual fact or not. This is a reiteration of al-Bāqillānī's definition of *āḥād*; ‘any potential statement that we cannot affirm that it corresponds to the actual fact, but we cannot say that it is false either, neither by the way of necessity (*ḍarūrī*) nor by the way of inspection (*istidlālī*).’<sup>66</sup> According to al-Khaṭīb, this type of *khābar*, i.e. *ḥadīth*, obligates action without we really know its veracity, similar to when a judge does not really know incontrovertibly the honesty of a witness. However, al-Khaṭīb had also included *ḥadīth* in the second group where he mentioned certain types of elevated or potentiated *ḥadīth*. This will be elaborated in the next chapter. What concerns here is the fact that there is no relation between *tawātur* and *ḥadīth* in this section of *Uṣūl al-Riwāyah*.

Al-Khaṭīb's explanation was confusing due to his attempt to synthesise views from theologians especially al-Bāqillānī, some legal theorists and *aṣḥāb al-ḥadīth* in several brief paragraphs. Notwithstanding that al-Khaṭīb has his own strategy in forcing readers to study his works,<sup>67</sup> in the same manner as Ibn Ḥibbān's strategy to compel people to memorise *sunan* and *ḥadīth*.<sup>68</sup> Similarly, al-Khaṭīb had mixed different concepts of *tawātur* in *Kitāb al-Faqīh* as well when he further explains:

‘Should that (the concept of *tawātur*) is recognised, it should be stressed that the number of reporters required for a statement of a group to yield knowledge is not identifiable. There is no signifier for a certain number to be appointed, neither by way of reasoning nor by way of revelation.’

Here al-Khaṭīb is reflecting upon facts. Then, he continues:

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<sup>65</sup> *Talkhīṣ al-Mutashābih*, 1:411.

<sup>66</sup> al-Juwaynī, *al-Talkhīṣ*, 2:325.

<sup>67</sup> See *tadlīs* and *tanwī* in the next chapter.

<sup>68</sup> *Al-ḥīlat allatī iḥṭalnāhā li-yahfaza al-nās al-sunan*. Ibn Balbān, *al-Iḥsān fī Taqrīb Ṣaḥīḥ Ibn Ḥibbān* (Beirut: al-Risālah, 1988), 1:151.



‘However, [ironically] we know that reports by a small number do not yield incontrovertible knowledge and reports by a large number yield incontrovertible knowledge. It has warranted that those informants had true knowledge of the subject matter (*‘alimūhu ḍarūrat*), and that they were on “a certain state” which prevented them from agreement upon deceit, previous arrangement of conspiracy, or any room for provocation or pressure, since we know that whenever these situations are possible, we will not have confident knowledge [i.e. we will have doubt].’<sup>69</sup>

Here, al-Khaṭīb is reflecting upon *tawātur* reports, although he had just recently mentioned that intellect cannot identify the number of this “many” or “large number.”

Based on al-Khaṭīb’s examples, the author concludes that al-Khaṭīb was actually speaking of three different *tawāturs* that correspond to the following classes:

1. Facts shared by everyone and at times expressed in utterance (*lafẓī*).
2. Facts concluded from aggregate of unrelated reports (*ma‘nawī*).
3. Reports of many that establish a fact (*tawātur al-riwāyah*).

## 5.6 Al-Khaṭīb’s *Tawātur* in Qur’anic Studies

Al-Khaṭīb’s childhood education and the collections of works in his library have proven his sufficient learning of *qirā’āt*. This explains his negative remarks on some forms of readings that Abū al-Faḍl al-Khuzā’ī attributed to Abū Ḥanīfah. Al-Khaṭīb doubted that Abū Ḥanīfah recited those forms, e.g. *malaka yawma al-dīn*. He later found the works of al-Khuzā’ī and reviewed, ‘I was full of shock and really doubtful about them until those experts in *qirā’āt* told me that al-Khuzā’ī had terribly mixed everything and he shall not be trusted in his reports, particularly with regard to Abū Ḥanīfah.’<sup>70</sup> In this section, the author attempts to examine al-Khaṭīb’s position on *al-qirā’āh al-mutawātirah*.

The subject has been debated at length in modern scholarship especially its connection with the integrity of the Qur’ān itself. The most recent study on the

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<sup>69</sup> FWM, 1:277.

<sup>70</sup> TMS, 2:541.

subject was carried by Shady Hekmat Nasser.<sup>71</sup> It is not surprising, however, based on the presented idea of *tawātur* in the study, that the only legitimacy for the existence of Variant Readings of the Qur’ān is the *ḥadīth* that speaks of the *sab’at aḥruf*.<sup>72</sup> Despite that, it is possible as well that due to the existence of the variety of Readings that the *ḥadīth* was associated with the prevailing *qirā’āt*.<sup>73</sup> Due to the fact that the pre-‘Uthmān Qur’anic discrepancies existed, it follows that *qirā’ātiyyah* (various-ness of Readings in principle, not in particulars) is a fact.<sup>74</sup> Consequently, some scholars retrospectively qualify it with the attribute of *mutawātirah*. Hence, for them, its *tawātur*-ness has no depending relation at all on *isnād* and the *ḥadīth* of *sab’at aḥruf*.<sup>75</sup> As Nasser himself has already noted, Variant Readings might have later been shifted from *ijmā’* to *isnād* perspective.<sup>76</sup> Nasser has also usefully shown that *al-qirā’āt al-mutawātirah* may refer to the second level *tawātur* which is *tawātur* effectuated by experts, or in al-Khaṭīb’s term, *ijmā’ al-khāṣṣah*.<sup>77</sup>

We find an indication of the meaning of *shawādh* in *qirā’āt* according to al-Khaṭīb as he described Ibn Shanabūdh (328/939) by saying: ‘He selected *ḥurūf* from *shawādh* *al-qirā’āt* which contradict the *ijmā’*.’<sup>78</sup> The problem here is the

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<sup>71</sup> *The Transmission of the Variant Readings of the Qur’ān: The Problem of Tawātur and the Emergence of Shawādh* (Leiden: Brill, 2013). Nasser concluded that it is difficult, if not impossible: to apply the conditions of *tawātur* (as collated from several works of legal theorists) to the transmission of the canonical Readings of the Qur’ān. Nasser had also accentuated that the Qur’ān was hardly put in theoretical definition by early figures, such as al-Shāfi‘ī, let alone to be associated with the concept of *tawātur*. Nasser observed that only some legal theorists considered *tawātur* as a parameter in defining the Qur’ān while others rejected it in formulation, although they held that it was received by later generation through *tawātur*.

<sup>72</sup> Ibid, 15.

<sup>73</sup> Ibid, 17. It is difficult to determine why a certain *ḥadīth* was recorded by a *muḥaddith* in his work.

<sup>74</sup> Ibid, 52-53. This may depend on the identification of the actual relation between the ‘Uthmān consonantal outlines and Variant Readings. The codification implies that the pre-codification variance is a necessary phase. Ibn Mujāhid’s use of *ijmā’* and *Sunnah*, instead of *riwāyah*, as pointed out by Nasser, may denote the similar concepts adopted by al-Ash’arī, al-Bāqillānī and al-Khaṭīb.

<sup>75</sup> The Variant Readings of the Qur’ān derive their legitimacy in scholarly circles from the Prophetic tradition of the *sab’at aḥruf*, but their legitimacy in the public sphere derive from being acknowledged as agreed historical fact and the absence of *tawātur* rejections for many centuries.

<sup>76</sup> Ibid., 230.

<sup>77</sup> Ibid, 55, 62 and 76.

<sup>78</sup> TMS, 2:103. See also: Mustafa Shah, “The Early Arabic Grammarians ...” (cited earlier).

uncertainty pertaining to the type of *ijmā'* al-Khaṭīb intended, for it connotes different ideas of *tawātur*-ness. Ismā'īl ibn 'Alī al-Khuṭbī's recount of Ibn Shanabūdh's story gives the impression that his Readings contradict the 'Uthmānī consonantal outlines (*maṣāḥif*).<sup>79</sup> The Qur'ān, the muṣḥaf, the codification, the qirā'āt in principle, and the qirā'āt in particulars were all qualified by the term *ijmā'*, and consequently in the terms of some scholars, *tawātur*. However, 'Uthmānī muṣḥaf may be associated with a type of *ijmā'* while *qirā'āt* is associated with another type. Consequently, it is not possible then to identify whether al-Khaṭīb's idea of *shawādh* stands only as a counterpart of *tawātur ḍarūrī*, or it is also an opposite of *tawātur istidlālī*. The closest that we have is the assertion that *shawādh* contradict the *ijmā'* of experts on *qirā'āt*. Different concept of *tawātur* can be inferred depending on the identification of the *mustanad* (basis) and theoretical ground for this *ijmā'*.

However, similar to the criticism of *akhbār* where *āḥād* could be regarded as absurd whenever it contradicts the incontrovertible fact denoted by the term *tawātur* or *ijmā'*, some Muslim scholars anticipated a challenge to the Qur'ān's authenticity and devised *tawātur* to disprove possible theories or results of individual studies on the historicity or integrity of the Qur'ān. The speculations were based only on individual conclusions that are not of *ḍarūrī* knowledge. This line of thinking is present in the idea that fact can only be disproved by fact that underlies the notion of *naskh al-mutawātir bi'l-mutawātir* (abrogation of an agreed article by an agreed article). A similar line of thinking was employed by al-Khaṭīb to incorporate the principle of fact (*tawātur*) in *ḥadīth* criticism.

## 5.7 Al-Khaṭīb and the Problem of *Ḥadīth Mutawātir*

In this section, the author presents how the problem of *ḥadīth mutawātir* was derived from the misunderstanding of al-Khaṭīb's presentation and that the narrowing down of the concept of *tawātur ma'nawī* to relate only to *ḥadīth* studies had began from this point and extended until it was revived anew by Abū Ishāq al-Shāṭibī (790/1388).

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<sup>79</sup> Nasser, *Variant Readings*, 33.

Ibn al-Ṣalāḥ (643/1246) whose compendium became the canon of *ḥadīth* sciences for scholars who came after him placed *al-mutawātir* under the category of *mashhūr* (widespread *ḥadīth*) whose concept was originally introduced in the Ḥanafī division of reports. In order to project the identity of *muḥaddith* and *ḥadīth* sciences, Ibn al-Ṣalāḥ contended that the *mutawātir* class is the subject matter of jurists and legal theorists. Ibn al-Ṣalāḥ surmised, ‘although the master expert al-Khaṭīb al-Baghdādī did mention it, there are indications in what he said which shows that he was not following the scholars of *ḥadīth* in doing so.’ Ibn al-Ṣalāḥ asserted that the craft of the *muḥaddithūn* did not include any *mutawātir* as it does not exist in the sense of ‘report by *man* (Arabic for who which denotes any number of reporters), whose [report’s] veracity is ascertained incontrovertibly.’<sup>80</sup> Ibn al-Ṣalāḥ observed that never in the history of *riwāyah*, a statement is recorded to have numerical *tawātur* chains. Whoever attempts to present an example of it will do so to no avail.

It is obvious that Ibn al-Ṣalāḥ was discussing the issue from the perspective of *isnād*, while al-Khaṭīb was addressing *akhbār* (meanings) as discussed by theologians and legal theorists. Agreeing with Ibn al-Ṣalāḥ, Dickinson asserted that al-Khaṭīb’s knowledge in *al-Kifāyah* owes a good deal to the early opponents of *aṣḥāb al-ḥadīth*. This is true only if Ibn Fūrak’s division of *aṣḥāb al-ḥadīth* is kept aside, for al-Khaṭīb may have agreed with the conclusion of *fuqahā’* or *nuzzār aṣḥāb al-ḥadīth*.<sup>81</sup> Nevertheless, a thorough study of al-Khaṭīb’s section as presented above has shown that al-Khaṭīb was precise in using the term *riwāyah* for the title of his work. It concerns *riwāyah* in general even though most of the content is related to *ḥadīth*. For al-Khaṭīb, whether a *riwāyah* can be considered a *ḥadīth* or not, it is determined by a *ḥāfiẓ* who owns an extensive experience in *ḥadīth* criticism, not by solely learning principles he provided in *Uṣūl al-Riwāyah*. Whether a *ḥadīth* can be considered a *Sunnah* or not, it is determined by a *faqīh* who exercises *istinbāt al-*

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<sup>80</sup> *Al-khabar alladhī yanquluḥu man (alladhi) yaḥṣulu al-‘ilmu bi-ṣidqihī* (may refer to *man* or *khabar*) *ḍarūran*. Dickinson’s translation can be misleading. The use of adjectival pronoun *man* by Ibn al-Ṣalāḥ is a clever escape from definite association with many since *man* in Arabic may refer to both singular and plural. The easier way to read it is to replace *yaḥṣulu* with *naḥṣulu al-‘ilmā bi-ṣidqihī*. Dickinson, *Introduction*, 189-191.

<sup>81</sup> See Chapter Four.

*ma'ānī*. The author has also shown that there is no direct relation between *ḥadīth* and *mutawātir* given by al-Khaṭīb. The introduction of historical facts (*mutawātir*) as a basis for criticism is crucial for him. If there is an individual report that suddenly contradicts the fact that Muḥammad migrated from Makkah to Madinah by saying that he migrated to India, it will be easily deemed absurd. Al-Khaṭīb aims at deliberating how some logical arrangement constructs the potentiality of individual reports.

Undoubtedly, early traditionists and *ḥadīth* experts such as Ibn Ḥibbān (354/965) had already decided that all *khavar* (*ḥadīth*) are *āḥād*, which means that all chains of narration of *ḥadīth* could not escape from being solitary at least in one tier of the chain.<sup>82</sup> However, when *khavar* reflects a statement of fact pertaining to *Sunnah*, it can easily be qualified with *tawātur*. Ibn Ḥibbān alluded to the distinction between *ḥadīth* and *Sunnah* in his innovative division of topics in *al-Anwā' wa'l-Taqāsīm*.<sup>83</sup> Prior to him, al-Shāfi'ī's student, Ibn Mahdī had explicitly differentiated between dexterity in *ḥadīth* and *Sunnah*.<sup>84</sup> Al-Khaṭīb's treatment has enabled us to conceive that *riwāyah*, *ḥadīth* and *Sunnah* can possibly be synonymous and otherwise, but easily deemed *mutawātir* when observed from the perspective of the *khavar* (statement) carried by them. If one single person tells us that that London is a big city, the report (sentence) is solitary, but the statement reflects a fact that no one will deny, hence, retrospectively it constitutes *tawātur*.

Nevertheless, Ibn al-Ṣalāh's imagination of *ḥadīth mutawātir* has led him to suggest the *ḥadīth* "Whoever deliberately lies on my name, let him prepare a seat for himself in the hell" as a possible candidate for the criteria of numerical *tawātur*. However, he expressed scepticism by quoting a master expert of *ḥadīth* who commented, 'Never in this world exists a *ḥadīth* which has all ten companions who were guaranteed paradise narrated it all of them save this one, and never had we

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<sup>82</sup> Ibn Balbān, *al-Iḥsān*, 1:156.

<sup>83</sup> Op. Cit.

<sup>84</sup> Ibn Mahdī stated, 'Sufyān al-Thawrī is an expert with regard to *ḥadīth* but not *Sunnah*. Al-Awzā'ī is an expert with regard to the *Sunnah*, but not with *ḥadīth*. But Mālik ibn Anas is an expert with regard to both.' Abū Nu'aym, *Ḥilyah*, 6:332.

known of a *ḥadīth* that was related from more than sixty companions of the Prophet save this one.' It is clear that Ibn al-Ṣalāḥ was looking for a *ḥadīth* with a certain number of chains.

Ibn al-Ṣalāḥ was not the first to study the notion of *ḥadīth mutawātir*. Amongst those who discussed *ḥadīth* and immediately mentioned the quality of *tawātur* were the contemporaries of al-Khaṭīb such as the Mālikīs al-Ḥāfiẓ Ibn 'Abd al-Barr<sup>85</sup> and al-Ḥāfiẓ al-Qāḍī 'Iyāḍ,<sup>86</sup> the Shāfi'ī al-Ḥāfiẓ al-Bayḥaqī<sup>87</sup> and others from the generation after him. An account was attributed to the Ḥanbalī Ibn al-Jawzī who said:

'I have arduously traced *al-aḥādīth al-mutawātirah* and there are a number of them; the *ḥadīth* of intercession, the *ḥadīth* of Reckoning, the *ḥadīth* of seeing God in the hereafter, the *ḥadīth* of washing two legs in ablution, the *ḥadīth* of the torment of the grave, and the *ḥadīth* of wiping the footwear.'<sup>88</sup>

The statement, however, does not clearly dismiss that Ibn al-Jawzī might have meant by these examples that their subjects were reported in an accumulation of *ḥadīths*, similar to the concept of *tawātur ma'nawī*. Nevertheless, it may be said that the association of the term *ḥadīth* with the term *mutawātir* appeared during the sixth/twelfth century. In the first period of seventh/thirteenth century, Ibn al-Ṣalāḥ and al-Nawāwī were the ones who brought *ḥadīth mutawātir* to a serious discussion by examining the number of *isnād*. Both, however, concluded that *ḥadīth mutawātir* is extremely rare, or no longer exists as a phenomenon.<sup>89</sup> The author has

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<sup>85</sup> *Raddū al-aḥādīth al-mutawātirah fī 'azāb al-qabr wa-fitnatihī, wa-raddū al-aḥādīth fī al-shafā'ah 'alā tawāturihā*. Ibn 'Abd al-Barr, *Jāmi' Bayān*, 2:1052.

<sup>86</sup> *Ḥadīth anīn al-jidh'ī wa-huwa fī nafsihi mashhūr muntashir wa'l-khabr bihi mutawātir*. Al-Qāḍī 'Iyāḍ, *al-Shifā bi-Ta'rīf Ḥuqūq al-Muṣtafā* (Beirut: Dar al-Kutub al-'Ilmiyyah, 1979), 1:303.

<sup>87</sup> See al-Bayḥaqī's discussion on *tawātur ma'nawī* of the generosity of Ḥātim of Ṭayy, *Dalā'il al-Nubuwwah* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1988), 1:33.

<sup>88</sup> Attributed to Ibn al-Jawzī by Muḥib Allāh al-Bahārī (1119/1707) in *Musallam al-Thubūt*, apud 'Abd al-'Alī Muḥammad al-Laknawī (1225/1810), *Fawātiḥ al-Raḥamūt bi-Sharḥ Musallam al-Thubūt* (Beirut: Dār al-Kutub al-'Ilmiyyah, 202), 2:147. I have checked the manuscript of *Musallam al-Thubūt* to ensure that it is not the words of al-Bahārī mistakenly attributed to Ibn al-Jawzī. See: (Mss. Univ of King Saud, 8144) fol. 134. The attribution was seconded in: al-Kattānī (1382/1962), *Naẓm al-Mutanāthir min al-Ḥadīth al-Mutawātir* (Egypt: Dār al-Kutub al-Salafiyyah), 20.

<sup>89</sup> al-Nawawī, *al-Taqrīb wa'l-Taysīr*, 85.

highlighted that Ibn al-Ṣalāḥ was defining *mutawātir* from the perspective of legal theorists even though with slight amendments. Nasser did not interpret this amendment and his reading of al-Khaṭīb was tempered by his understanding of Ibn al-Ṣalāḥ.<sup>90</sup>

Nevertheless, the idea of numerous *isnād* in his discussion of *tawātur* has sparked the interest of Ibn Ḥajar who found that there is surfeit of *ḥadīth* that fit the criteria. Ibn Ḥajar, as quoted by his students, al-Sakhāwī and al-Suyūṭī, averred that Ibn al-Ṣalāḥ's claim of rarity and the other's claim of non-existence (possibly al-Nawawī) are invalid and their claims were resulted from incomprehensive study.<sup>91</sup> In refuting both scholars, Ibn Ḥajar imagined the situation where a *ḥadīth* is recorded in several authentic works and their *isnāds* were enormously various as it is impossible that their narrators had conspired to lie. Hence, it produces *al-ʿilm al-yaqīnī* (confident knowledge) on the authenticity of the *ḥadīth*. The *ḥadīth* is then *mutawātir* and the example for this kind is numerous.<sup>92</sup> To my knowledge, this is the first attempt to define the concept of *ḥadīth mutawātir* in the literature of *ḥadīth* terminologies.

The idea of *ḥadīth mutawātir* might have also been inspired by Ibn Taymiyyah (728/1328) who tackled the issue from a different perspective. Ibn Taymiyyah agreed that *tawātur* connotes several different concepts and the most accurate of them refers to a decisive knowledge that a *khabar* comprises as adopted by Abū'l-Ḥasan al-Ashʿarī.<sup>93</sup> Numerical *tawātur* generally falls into the category of *al-mashhūr* as viewed by the Ḥanafīs. Ibn Taymiyyah also agreed that the quality *tawātur* might

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<sup>90</sup> Nasser, *Variant Readings*, 72. It is worth noting that Ibn al-Ṣalāḥ was extremely concerned with *isnād* that he denigrated *ajzāʾ* of his time for their non-strict application of *isnād* principle to the extent that he was understood as to prohibit totally the activity of re-evaluating *ḥadīth*. See: Ḥamzah al-Malībārī, *Taṣḥīḥ al-Ḥadīth ʿinda Ibn al-Ṣalāḥ* (Beirut: Dār Ibn Ḥazm, 1997).

<sup>91</sup> Nasser attributed Ibn Ḥajar's statement to al-Suyūṭī. al-Sakhāwī, *Fatḥ al-Mughīth*, 3:407, al-Suyūṭī, *Tadrīb*, 2:629.

<sup>92</sup> Ḥ 56-59.

<sup>93</sup> Ibn Taymiyyah, *Majmūʿ al-Fatāwā*, 4:30.

be used as a restatement of *ijmā'*.<sup>94</sup> However, he went further to elevate *aṣḥāb al-ḥadīth* by applying the concept of *ijmā' al-khāṣṣah* (agreement of the experts).<sup>95</sup> To achieve this, Ibn Taymiyyah introduced *al-tawātur al-‘āmm* (general) and *al-tawātur al-khāṣṣ* (specific).<sup>96</sup> Since *ijmā'* of the experts is based on decisive knowledge, it is not outlandish to propose that a statement is *tawātur* amongst them. In the case of *ḥadīth* studies, a *ḥadīth* that is unanimously accepted by *ḥadīth* scholars, denotes that it is *mutawātir* for them since they have *al-‘ilm al-yaqīnī* on its veracity. Hence, *tawātur* could occur in specific group regardless of the ignorance of others about it. That language of Arab consists of noun, verb and *ḥarf* is *tawātur* among the linguists despite the unawareness of some on that categorisation. However, Ibn Taymiyyah went further by stressing that when the Ummah accepts a *ḥadīth*, like many traditions recorded in *Ṣaḥīḥayn*, it shows that its veracity is known decisively. Hence, a *ḥadīth* such as *innamā al-a‘mālu bi’l-niyyāt* is *mutawātir* in the sense of agreement, even though it is not *mutawātir* from the perspective of transmission.<sup>97</sup>

Ibn Taymiyyah was essentially not interested in the modes of transmission. His main concern was the utilisation of *ḥadīth*. He strove to show that *khavar al-wāḥid* occasionally yield knowledge. However, Ibn Taymiyyah was precise to note that some *khavar* yield knowledge for both the public and the experts, whereas some others yield knowledge only for the expert.<sup>98</sup> To demonstrate how *ḥadīth* yields knowledge, he replicated al-Juwaynī’s discussion of *al-qarā’in*. *Khavar wāḥid* yields knowledge when accompanied by *qarā’in*. Hence, the first class of *khavar* according to Ibn Taymiyyah is *khavar* we know incontrovertibly its veracity due to *qarā’in*.<sup>99</sup> However, the public could easily miss the *qarā’in* while they were

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<sup>94</sup> Ibid, 18:48. Ibn Taymiyyah used the indication “treated by the Ummah with acceptance (*talaqqathu al-ummah bi’l-qabūl*) as a sign of *tawātur* for the *Ṣaḥīḥayn*.

<sup>95</sup> *al-ḥadīth al-ṣaḥīḥ al-mutawātir ‘inda ahl al-‘ilm bi’l-ḥadīth*, Ibid, 4:71-72.

<sup>96</sup> Ibid, 18:69.

<sup>97</sup> Ibid, 18:49. The same idea was already applied by the Ḥanafīs when they considered a *mashhūr ḥadīth* if it is treated by the *ummah* with acceptance as tantamount to *mutawātir*. See: al-Jaṣṣāṣ on the tradition of ‘Ubādah in *al-Fuṣūl fī Uṣūl al-Fiqh* (Kuwait: Ministry of Awqāf, 1994), 2:360.

<sup>98</sup> Ibn Taimiyyah, *Majmu‘ Fatāwā*, 18:49.

<sup>99</sup> Ibid, 18:44.



recognised immediately by the experts.<sup>100</sup> Ibn Taymiyyah was careful not to discuss how many *qarā'in* that one needs to sense knowledge as irresistible for this will return the discussion into the concept of *tawātur* as consolidated knowledge confined to the notion of undeterminable “many”. However, we can observe here that ultimately al-Nazzām’s introduction of *al-qarā'in* finds its application in *ḥadīth* criticism. Al-Juwaynī had already provided its protective shield by rejecting the possibility of *dabt* (defining condition) of *qarā'in* either by quality or quantity for they are recognised based on *ʿadah* (experience). Ibn Taymiyyah used the analogy of satiation where it cannot be identified with either quantity or quality of food. If we keep asking for a definition, Ibn Taymiyyah will say that the definition itself is *khabar wāḥid* and its veracity is independent upon our knowledge on the trustworthiness of the giver of the definition.<sup>101</sup>

Nevertheless, the idea of *ḥadīth mutawātir* with numerous *isnāds* was still pursued by al-Suyūṭī to add to his composition of works which no one else has ever composed anything of its kind.<sup>102</sup> Since then, *ḥadīth mutawātir* turns an orthodox concept that bears a totally different sense from the concept of *tawātur* discussed by al-Khaṭīb.<sup>103</sup>

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<sup>100</sup> Ibid, 4:410

<sup>101</sup> Ibid, 9:92.

<sup>102</sup> He authored a large work, which he extolled that none has authored a work of its kind, and then summarised it in an abridged version. However, these two works are confused between three titles; *al-Fawā'id al-Mutakāthirah fī al-Aḥādith al-Mutawātirah*, *al-Azhār al-Mutanāthirah fī al-Akḥbār al-Mutawātirah* and *Qaṭf al-Azhār al-Mutanāthirah fī al-Akḥbār al-Mutawātirah* (Beirut: al-Maktab al-Islāmī). In *Tadrīb al-Rāwī*, al-Suyūṭī mentioned that he authored first *al-Azhār al-Mutanāthirah* and summarised it later with the title *Qaṭf al-Azhār al-Mutanāthirah*. However, the modern publication of *Qaṭf al-Azhār al-Mutanāthirah* contains al-Suyūṭī’s introduction featuring it as an abridged version of *al-Fawā'id al-Mutakāthirah*. This suggests that *al-Fawā'id* was the title of the original work and the abridged version should be titled *al-Azhār*. *Qaṭf al-Azhār*, therefore, is an abridgement of the latter. Another issue is that the abridged version was found in two manuscripts with different number of *ḥadīth* characterised as *mutawātir*. The first manuscript introduces 113 *ḥadīth*s while the second manuscript omits thirty of them. *Tadrīb*, 2:629-631.

<sup>103</sup> Another proof for this is al-Sakhāwī had pointed out *al-wuḍū' min mass al-dhakar* as *ḥadīth mutawātir* while al-Khaṭīb did not mention it amongst the examples of *tawātur*, although he had a dedicated study on the same *ḥadīth*. *Faṭḥ al-Mughīth*, 3:402. See Chapter Two.

When Juynboll advanced his reappraisal of *ḥadīth* terms, he was looking into *tawātur* from the lenses of Ibn al-Ṣalāḥ, despite that Ibn al-Ṣalāḥ's use of *man* instead of *jamā'ah* connotes a certain strategy, and also Ibn Ḥajar.<sup>104</sup> Juynboll was right when he said that not even one *ḥadīth* has a proto-wording supported by *isnād* strands with the requisite number of transmitters in 'every tier' of transmission, from beginning to end, and as a consequent, the *tawātur* phenomenon is dead. He argues that no Muslim scholar or Islamicist has ever noticed that this condition for the validity of a *tawātur* transmission is merely otiose.<sup>105</sup> Juynboll understood *tawātur* as "broad authentication" and this may to some extent reflect the early scholars attempt to demonstrate the non-demonstrative obviousness. The author presented that *Sunnah* and *ḥadīth* scholars from the beginning had acknowledged that *ḥadīth* are *āḥād*. *Jimā' al-'Ilm* has already rejected the condition of numerical *tawātur* at every tier.

Based on the above, Juynboll also argued that *tawātur lafẓī* is a historiographical criterion, which appears never to have had any demonstrable applicability.<sup>106</sup> Our study of al-Khaṭīb and others has enabled us to revise this assertion to say; *tawātur lafẓī* can potentially be observed whenever speeches or writings by Muslims and others express any phrase that reflects a fact concerning Islam and also others. However, the proof and certainty of any historical fact will remain a debate in intellectual demonstrations.

## Conclusion

The author's attempt to understand the treatment of the concept of *tawātur* in al-Khaṭīb's works has led to the observation that the problem of *tawātur* stems from the idea that human reasoning is able to manipulate the conveyance of a statement. Hence, a statement coming from a single person may be derived from intellectual creativity rather than reality. It was more prevalent amongst the

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<sup>104</sup> G.H.A Juynboll, "(Re) Appraisal of Some Technical Terms in Ḥadīth Science," *Islamic Law and Society* 8:3 (2001): 303-349. See: 327.

<sup>105</sup> Ibid, 329.

<sup>106</sup> Ibid, 330.

rationalists who inspected the nature of reasoning and became sceptical of its function. The rationalists had to figure out several intellectual concepts to express personal experience of incontrovertible knowledge. In their attempts to define fact and knowledge of fact, Muslim scholars devised a number of expressional terms such as *ijmā'* and *tawātur*. Historical facts, however, come to us in various forms. Furthermore, theological background infused a concept with different ideas even though the same expressional term is used. Consequently, scholars in the same field of study differed extremely in their understanding of a term. *Ijmā'*, *ḍarūrī*, *mukṭasab* and *tawātur* were examples of terms that have different meanings when applied by scholars from different backgrounds. Early *ḥadīth* scholars have a different idea of *tawātur* from the one employed by later scholars in defining *ḥadīth mutawātir*. In this regard, al-Khaṭīb's appropriation of the concept of *tawātur* cannot be taken as a mere adoption of rational discourse. It conveys a significant strategy in the formation of *ma'nā*-based *ḥadīth* criticism. As for *tawātur ma'nawī*, Wael Hallaq posited that inductive corroboration has informed the underlying logical-methodological foundation for a number of material and theoretical legal principles, ranging from the various types of Prophetic reports to consensus. According to Hallaq, it was grounded partly in a subjective theological transcendentalism and partly in rational-cum-empirical justification.<sup>107</sup> It was this logic that appeared in the forth/tenth and fifth/eleventh centuries (the time of al-Khaṭīb) with the introduction of *tawātur ma'nawī* that has been extended later in al-Shāṭibī's concept of thematic induction (*al-istiqrā' al-ma'nawī*). It was further developed and incorporated in the concept of *kulliyyāt* (universal truths) and eventually *maqāṣid al-Sharī'ah* (the higher objectives of *Sharī'ah*). The next chapter will explore the role of *takhrīj* in *ḥadīth* criticism and the formation of *tawātur ma'nawī*.

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<sup>107</sup> Wael Hallaq, "On Inductive Corroboration, Probability and Certainty in Sunni Legal Thought," in *Islamic Law and Jurisprudence: Studies in Honor of Farhat J. Ziadeh*, ed. Nicholas Heer (Seattle: University of Washington Press, 1990), 3-31. See: 24.

# **Chapter Six:**

## **Evidencing Potentiality**

## Overture

This chapter argues that *ḥadīth* scholars proved the high potentiality and compelling authority of *ḥadīth* in establishing the *Sunnah*, through an application of *takhrīj*, whose principles and techniques were deliberated in the project of al-Khaṭīb. The notion of *takhrīj* appropriated by al-Khaṭīb in Baghdād tackles the task of inspecting the *rāwī*; his identity and credibility, the *marwī* (object of narration) and *ḥāl al-riwāyah* (the circumstances around narration). A series of works connected to the identification of narrators and the *maʿānī al-sunan* through mechanism such as *ikhrāj* (extrication after comparison) and *tawātur maʿnawī* (spirit aggregate-necessitation) will be presented to illustrate how *takhrīj* operates to inform potentiality and high potentiality in the study of *Sunnah*.

### 6.1 *Jaḥālah* and the Identification of *Rāwī*

Al-Khaṭīb's work *al-Kifāyah* is the repository for the principles of *takhrīj al-riwāyah* some of which he reported from the past luminaries and the other communicates the result of his own research. *Takhrīj al-riwāyah* is portrayed as such a complicated concept that it can only be appreciated through the elaboration of its multiple dimensions. In general, it is an attempt to potentiate a meaning in order to articulate an article of *Sunnah* and Islam through a sort of transmitted statement. A *riwāyah* combines two entwined components: the *marwī* which acts as a collective reference for spirit, meaning, statement, expression and script; and its *rāwī*, which represents the human agent who acts as its carrier and whose conduct informs the history of the *marwī*.

Al-Khaṭīb foregrounded the virtue of this activity in the exordium of *al-Kifāyah* where he asserts that *al-salaf al-māḍīn* (past luminaries) inspected both *rāwī* and *marwī*.<sup>1</sup> This is the first point at which he began to present a constructive critique of the traditionalists. To set the context for several coming sections, we will focus initially on just one principle of *takhrīj*, which the author terms as *taʿyīn al-rāwī* (the identification of transmitter). This term corresponds to the appearance of cases

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<sup>1</sup> *al-Kifāyah*, 1:83.

of *jahālat al-‘ayn* (unidentified bearer of an identity) al-Khaṭīb attributed to the *ḥadīth* corpora.<sup>2</sup> According to al-Khaṭīb, prominent *ḥuffāz* and leading tradents have been observed to transmit from unidentified agents. Al-Sabīṭ transmitted from labels such as Jabbār al-Ṭāṭī, Qays ibn Kurkum, etc., and the tradent Qatādah transmitted from Jarīd ibn Kulayb. These labels refer to informants no one had ever mentioned anything pertaining to their existence. At least, if two tradents transmitted from an informant, one can be relatively convinced of his existence in this world.<sup>3</sup> Al-Khaṭīb expressed here one of the principles of *takhrīj*: the success in *ta’yīn al-rāwī* potentiates the reliability of both the *rāwī* and the *riwāyah* (occurrence of transmission).

### 6.1.1 *Majhūl, Mubham and Muhmal*

The unidentified agent explained in the above section is called in *al-Kifāyah* as *majhūl*. Since the Arab culture permeated the geographical grounds where the transmission of traditions operated, it infused several cultural elements to the personal label of a narrator. In this study, Basic Designation (BD) refers to a person’s given name and his patronym, e.g. al-Ḥusayn ibn Jamīl (translated as al-Ḥusayn son of Jamīl).<sup>4</sup> In some instances, a person could be recognised just by his patronym such as Ibn Fulān (Son of So-and-so). Cultural Designation (CD) on the other hand could possibly add to the basic designation or replace it with the name of the grandfather, the matronym, the teknonym, the nickname, the gentilic, etc. Although before al-Khaṭīb, the judge al-Rāmḥurmuzī and the *Ṣaḥīḥayn*-driven *ḥadīth* theorist al-Ḥākim of Nishapur have succinctly pointed out occasions of misreads and distortions in designations, the complex consequence of connection between elements of orthography, phonetics, anthroponomastic and *takhrīj* has never been comprehensively classified and precisely demonstrated in volumes before al-Khaṭīb.

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<sup>2</sup> Ibid, 1:245.

<sup>3</sup> If one single person explained that any agent from whom he transmitted a statement is granted his trust, it makes a separate issue. Al-Khaṭīb discussed this in *al-Kifāyah*, 1:252.

<sup>4</sup> The author considers both as Basic Designation from the perspective of *takhrīj* study for a name without the patronym is deemed *muhmal*, literally, neglected.

The absence of the whole BD is categorised as *mubham* (unlabelled, lit. animalised) while partial missing of the BD belongs to *muhmal* (unassociated). The example of the first is أصحابه عن رجل من أصحابه which may refer to any man from amongst the companions of the person. To address the similar cases, al-Khaṭīb composed his dictionary, *al-Asmā' al-Mubhamah fī al-Anbā' al-Muḥkamah*. References such as “a man”, “a youth”, “a woman”, “a group from x” feature in the Qur’ān and the *ḥadīths* alike. Pertaining to *ḥadīth*, a humble effort was initiated by al-Ḥāfiẓ Al-Azdī al-Miṣrī (409/1018) whose book *al-Ghawāmiḍ wa’l-Mubhamāt* consists of a total of seventy accounts.<sup>5</sup> Al-Khaṭīb’s work was the first extensive study on the subject in which he managed to compile more than 230 *ḥadīths* featuring the unlabelled.<sup>6</sup> However, the arrangement of information in this work suggests that it is not meant as a self-guide to identifying names of the unlabelled participants; rather it seems to be a memory aid for a *ḥāfiẓ*. Instead of listing alphabetically or topically all *ḥadīths* in whose *isnāds* these obscured references featured, the materials were listed alphabetically based on the figured names of the previously unnamed.

For this reason, al-Ḥāfiẓ al-Nawawī abridged the book in *al-Ishārāt*.<sup>7</sup> Al-Nawawī explained that his selection of al-Khaṭīb’s work was due to its preference amongst experts, even though Ibn Bashkuwāl’s work was more comprehensive.<sup>8</sup> Al-Nawawī rearranged the content based on the name of the Companion-figure. Ultimately, al-Khaṭīb’s work was included in an encyclopaedic collection by al-Ḥāfiẓ Aḥmad ibn ‘Abd al-Raḥīm al-‘Irāqī (826/1423) entitled *al-Mustafād* combining the

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<sup>5</sup> See: al-Azdī, *al-Ghawāmiḍ wa’l-Mubhamāt fī al-Ḥadīth al-Nabawi*, (Jeddah: Dār al-Manārah, 2000).

<sup>6</sup> al-‘Irāqī and al-Suyūṭī counted only 171. Abū’l-Faḍl al-‘Irāqī, *Sharḥ al-Tabṣirah wa’l-Tadhkirah*, (Beirut: Dār al-Kutub al-‘Ilmiyyah, 2002), 2:288, *Tadrib* 2:853.

<sup>7</sup> al-Nawawī, *al-Ishārāt ilā Bayān al-Asmā' al-Mubhamāt*, (Damascus: Dār al-Bayān, 2009).

<sup>8</sup> Several titles have been composed after al-Khaṭīb. See: Ibn Bashkuwal (533), *al-Ghawāmiḍ wa’l-Mubhamāt*, (Jeddah: Dār al-Andalus, 1994) and Ibn Ṭāhir al-Maqdisī, *Īdāh al-Ishkāl* (Kuwait: Maktabah al-Mu’allā, 1988). Regarding the series of works, abridgements and addenda in this subgenre, see: al-Kattānī, *al-Risālah al-Mustaṭrifah*, 122.

unreferenced both in the *matn* and the *isnād*.<sup>9</sup> Prior to these initiatives, Ibn al-Ṣalāḥ highlighted this subject as a distinct category in his *ḥadīth* curriculum.

The second category, *muhmal* refers to instances where part of BD is absent, e.g. *عن محمد* or *عن ابن سعيد* (“from Muḥammad” without featuring the patronym, or “from Ibn Saʿīd” without mentioning the given name). Al-Khaṭīb method was to cross-reference all strands of transmission that refer to the same tradition or event to trace the complete name of a narrator. It was also traced through the study of informants, recipients and the confreres of the unassociated narrator. So far as the available references are concerned, al-Khaṭīb’s work was the first and the only one mentioned by experts in this subject.<sup>10</sup> The work of later Andalusian Abū ‘Alī al-Jayyānī al-Ghassānī (498/1105) is restricted to this feature within the *isnāds* in *Ṣaḥīḥ al-Bukhārī*.<sup>11</sup>

After two centuries, al-Khaṭīb’s work was reported to be audited by the great grandson of the Ayyubid Sultan, al-Malik al-Mu‘aẓẓam, whose name is Muḥammad ibn Ismāʿīl (756/1355).<sup>12</sup> He was also known as Nāṣir al-Dīn, Son of Kings, a great tradent and a Ṣūfī at the *khānqāh* (lodges) of Saʿīd al-Su‘adā’ in Cairo.<sup>13</sup> It was through him that al-Ḥāfiẓ al-Bulqīnī (805/1403) the author of *Maḥāsin al-Iṣṭilāḥ*, received al-Khaṭīb’s work; as well as his student al-Ḥāfiẓ Ibn Ḥajar.<sup>14</sup>

Ibn al-Ṣalāḥ did not discuss this category distinctively. Under the Category 53 on Homographic References, he pointed out al-Ghassānī’s work, which had led Eerik Dickinson to translate *muhmal* restrictively as unpointed words.<sup>15</sup> Al-Sakhāwī, failed to find other than al-Khaṭīb’s work, agreed that the category deserves a

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<sup>9</sup> Abū Zur‘ah al-‘Irāqī, *al-Mustafād min Mubhamāt al-Matn wa’l-Isnād* (Egypt: Dār al-Wafā’, 1994).

<sup>10</sup> Abū’l-Faḍl al-‘Irāqī, *Sharḥ al-Tabṣirah*, 2:271.

<sup>11</sup> Al-Ghassānī, *Taqyīd al-Muhmal wa-Tamyīz al-Mushkil* (Makkah: Dār ‘Alam al-Fawā’id, 2000).

<sup>12</sup> al-Fāsī, *Dhayl al-Taḥf*, 100.

<sup>13</sup> His great grandfather refuted al-Khaṭīb to defend Abū Ḥanīfah. See: Chapter Seven.

<sup>14</sup> Bint al-Shāṭi’, ed. al-Bulqīnī, *Maḥāsin al-Iṣṭilāḥ* (Cairo: Dār al-Ma‘ārif), 69.

<sup>15</sup> Dickinson, trans. *Introduction*, 266. Al-‘Irāqī gave Ḥammād as an example of *muhmal* where it could refer to Ḥammād ibn Zayd and Ḥammād ibn Dirham. It is not the case of diacritical dots. See: *Sharḥ al-Tabṣirah*, 2:270.



dedicated study and cited his professor, Ibn Ḥajar who explained it as the opposite of *al-muttafiq wa'l-muftariq* in producing doubt.<sup>16</sup> This has proven al-Khaṭīb's success in constructing a principle of *takhrīj* and manifesting the possibility of *ta'yīn al-rāwī*.

### 6.1.2 Cultural Variants in Patronym

This category can be collectively identified with *al-mansūbūn ilā ghayr al-'ābā'* (those whose designation replaces the patronym). The basic designation is complete; however, the patronym is replaced with other designation due to cultural practices. There are several variants in this category:

- (1) The patronym is replaced with the name of the grandfather, e.g. Abū 'Ubaydah 'Āmir ibn al-Jarrāḥ. The full name is 'Āmir ibn 'Abd Allāh ibn al-Jarrāḥ.
- (2) The patronym is replaced with the matronym, e.g. Mu'ādh ibn 'Afrā'. His father's name is al-Ḥārith.
- (3) The patronym is replaced with the name of the grandmother, e.g. Ya'lā ibn Munyah. His father's name is Umayyah.
- (4) The patronym is replaced with pseudo-patronym (other than the father, such as stepfather), e.g. al-Ḥasan ibn Dīnār. His father is Wāṣil. Dīnār is the husband of his mother.
- (5) The given name and the patronym are same that an error might be presumed, e.g. al-Ḥajjāj ibn al-Ḥajjāj al-Aslamī.
- (6) The given name resembles the father's teknonym, e.g. Sinān ibn Abī Sinān.

Ibn al-Ṣalāḥ highlighted variants (1) to (4) under Category 57, in points (3), (1), (2) and (4) respectively. Ibn al-Ṣalāḥ did not refer to any work of al-Khaṭīb, as he would do in many other categories.<sup>17</sup> It is possible that these variants have been probed in al-Khaṭīb's work titled *al-Asmā' al-Mutawāṭi'ah wa'l-Ansāb al-Mutakāfi'ah* (The Concordant Names and the Equivalent Pedigrees). The work seems to have been lost since early time for no *ḥadīth* expert or theorist made any reference to it. The term *al-asmā' al-mutawāṭi'ah* was used by al-Jāḥiẓ to refer to *ism* (word) that bears several meanings due to which *sū' al-ta'wīl* (false identification) occurs in

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<sup>16</sup> *Fatḥ al-Mughīth*, 4:304. See future section on *al-muttafiq*.

<sup>17</sup> Ibn al-Ṣalāḥ, *Introduction*, 289.

reading.<sup>18</sup> However, this does not relate to the study of narrators. It will make more sense to intimate Ibn Qutaybah's use of this term in the field of individual identification. Under the title "*al-Asmā' al-Mutawāṭi'ah fī al-Qabā'il* (The concordant names amongst the tribes)" in his book *al-Ma'ārif*, Ibn Qutaybah gave an example of the name Muḥārib. According to him, it may refer to Muḥārib ibn Fihri from the tribe of Fihri, Muḥārib ibn Khaṣṣah from the tribe Qays of 'Aylān, or Muḥārib ibn 'Amr ibn Wadī'ah from the tribe of 'Abd Qays.<sup>19</sup> It is possible that al-Khaṭīb's work lingered around the same subject.

As for the variants (5) and (6), they have been treated extensively before al-Khaṭīb by al-Ḥāfiẓ Abū'l-Faṭḥ al-Azdī al-Mawṣilī (374/984) in his works *Man Wāfaqa Ismuhu Isma Abīhi* and *Man Wāfaqa Ismuhu Kunyat Abīhi*.<sup>20</sup>

### 6.1.3 Names and Teknonyms

Prior to al-Khaṭīb, *ḥadīth* experts such as Ibn al-Madīnī, Ibn Ḥanbal, al-Bukhārī, Muslim, Abū 'Abd Allāh al-Muqaddamī (301/914), al-Nasā'ī, Ibn al-Jārūd (307/920), al-Dūlābī (310/923), Abū 'Arūbah al-Ḥarrānī (318/930), Ibn Abī Ḥātim, Abū Aḥmad al-Ḥākim al-Kabīr (378/989), Ibn Mandah, al-Ḥākim al-Naysabūrī, and Abū Bakr al-Shīrāzī (411/1021) paid more attention to clarifying names and teknonyms of narrators.<sup>21</sup> Ibn al-Ṣalāḥ discussed this subject under Category 50 (Point 8). The author lists below variants found in the works of the above scholars and later works pertaining to this category:

- (1) The normative case where the name and the teknonym are known.
- (2) The teknonym is known but the name is unknown or undetermined, e.g. Abū Anas al-Kinānī.
- (3) The name takes a teknonym form while the person also owns a teknonym, e.g. Abū Bakr ibn 'Abd al-Raḥmān ibn al-Ḥārith ibn Hishām al-Makhzūmī (teknonym: Abū 'Abd al-Raḥmān) and Abū

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<sup>18</sup> Cited in *HMDB*, 1:24.

<sup>19</sup> Ibn Qutaybah, *al-Ma'ārif* (Cairo: Dār al-Ma'ārif), 113.

<sup>20</sup> Both are published (Kuwait: Markaz Makhṭūṭat wa'l-Turāth, 1988).

<sup>21</sup> al-Kattānī, *al-Risālah*, 120.

Bakr ibn Muḥammad ibn ‘Amr ibn Ḥazm al-Anṣārī (teknonym: Abū Muḥammad).

- (4) The name takes a teknonym form and the person does not own any teknonym, e.g. Abū Bilāl al-Ash‘arī.
- (5) The name is better known than the teknonym, e.g. ‘Abd al-Raḥmān ibn ‘Awf and Thābit ibn Qays and al-Ḥasan ibn ‘Alī (teknonym: Abū Muḥammad).
- (6) The teknonym is better known than the name, e.g. Abū Ishāq al-Sabī‘ī (His name is ‘Amr ibn ‘Abd Allāh).
- (7) The narrator owns a number of teknonym, e.g. ‘Abd al-Malik ibn ‘Abd al-‘Azīz ibn Jurayj (teknonym: Abū al-Walīd and Abū Khālīd).
- (8) The narrator has a nickname in a teknonym form while having a teknonym, e.g. ‘Alī ibn Abī Ṭālib, Abū al-Ḥasan (Nickname: Abū Turāb).
- (9) The teknonym is similar to the patronymic, e.g. Abū Ṣāliḥ ibn Ṣāliḥ.
- (10) The teknonym is similar to one’s spouse teknonym, e.g. Abū Ayyūb al-Anṣārī and his wife Ummu Ayyūb al-Anṣāriyyah.
- (11) The name is known but the teknonym is disputed, e.g. Ubayy ibn Ka‘b. Abū al-Mundhir and Abū’l-Ṭufayl are given for teknonym.
- (12) The teknonym is known but the name is disputed, e.g. Abū Hurayra al-Dawsī, (names reported: ‘Abd Allāh or ‘Abd al-Raḥmān).
- (13) Both the name and the teknonym are disputed, e.g. Saḥīnah the servant of the Messenger of Allah. Names given are: ‘Umayr, Ṣāliḥ, and Miḥrān. Teknonyms given are: Abū ‘Abd al-Raḥmān and Abū al-Bukhturī.

Ibn al-Ṣalāḥ mentioned most of these variants under Category 50: Names and Teknonyms.<sup>22</sup> As for variant (2), al-Khaṭīb’s contemporary Ibn ‘Abd al-Barr specified two sections: *Man ‘Urifa min al-Ṣaḥābah bi’l-Kunya wa-lam Yūqaf lahu ‘alā Ism aw Ukhtulifa fīhi* and *Man Lā Yūqaf Lahu Minhum (al-Tābi‘īn wa-Man Ba’dahum) ‘alā Ism wa-lā ‘Urifa bi-Ghayr Kunyah*. Both are in his work, *al-Istighnā*.<sup>23</sup> Ibn al-Ṣalāḥ discussed it in point (2) of the category. The two examples mentioned for variant (3) were first

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<sup>22</sup> Ibn al-Ṣalāḥ, *Introduction*, 249.

<sup>23</sup> Ibn ‘Abd al-Barr, *al-Istighnā fī Ma‘rifat al-Mashhūrīn min Ḥamalāt al-‘Ilm bi’l-Kunā* (Riyadh: Dār Ibn Taymiyyah, 1985).

given by al-Khaṭīb. Ibn al-Ṣalāḥ quoted solely from him in point (1a). He also added variant (4) in point (1b).<sup>24</sup>

Ibn Ḥibbān was the first to dedicate a work to variant (5): *Kunā Man Yu'raf bi'l-Asāmī*.<sup>25</sup> Al-Khaṭīb did not work on this but Ibn al-Ṣalāḥ specified a separate category for it; Category 51, The Teknonyms of Those Better Known under Their Names.<sup>26</sup> However, al-Khaṭīb did point out the opposite of it as in variant (6). He gave two cases at the end of *Ghunyat al-Multamis*.<sup>27</sup>

Variant (7) until (13) were all given by Ibn al-Ṣalāḥ except (10) for which the Egyptian Ibn Ḥayyūviyē (366/977) authored his work, *Man Wāfaqat Kunyatuhu Kunyat Zawjihi min al-Ṣaḥābah*.<sup>28</sup> Variant (9) was creatively introduced by al-Khaṭīb's one and only dedicated work with regards to teknonyms titled *Man Wāfaqat Kunyatuhu Isma Abīhi min-mā lā Yu'man Wuqū' al-Khaṭa' fīhi*. Through the published abridgment made by al-Ḥāfiẓ Muḡhulṭāy, it is learned that al-Khaṭīb was addressing cases such as Ibrāhīm ibn Ismā'īl and Ibrāhīm whose teknonym is Abū Ismā'īl. Possibilities of misrecognition and switch could be foreseen since the form of ابن (son) could be misread as ابو (father). Al-Khaṭīb had made it clear from the title and the entries that this subgenre does not function as a mere record of variants; rather it serves an important cause of identifying possibilities of doubt and applying *takhrīj*.

#### 6.1.4 *Al-Mufradah, al-Mushkil, al-Multabis and al-Mudallas*

The phenomena of unicity (*mufradah*), multiplicity, problematic multiplicity (*mushkil*), confounding multiplicity (*multabis*), and projected multiplicity (*mudallas*) in designations have also been incorporated in the anatomy of *takhrīj* principles. In Category 49 of his work, Ibn al-Ṣalāḥ pointed out the work of al-Ḥāfiẓ al-Bardījī titled *Ṭabaqāt al-Asmā' al-Mufradah* that collected unique names, teknonyms and

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<sup>24</sup> Op. cit, 250.

<sup>25</sup> The work does not extant. See; al-Kattānī, *al-Risālah*, 121.

<sup>26</sup> Op. Cit, 255.

<sup>27</sup> *Dhikr man ghalabat kunyatuhu 'alā ismihi*. See: 2:457-459.

<sup>28</sup> Published (KSA: Dār Ibn al-Qayyim, 1988).

nicknames where a reference was borne by only one narrator.<sup>29</sup> A revision of al-Bardījī's work was submitted by Ibn Bukayr al-Ṣayrafī (388/988) in his *Naqd al-Ṭabaqāt fī al-Asmā' al-Mufradah*.<sup>30</sup> These were the only works reported with regard to unicity. Al-Khaṭīb did not provide any reference to this subject perhaps for its simple clarity and non-immediate relation with the possibility of doubt.

The opposite of the above where a narrator was assigned with multiple references that confuse a verifier of *ḥadīth* is called *al-multabis* or *al-mushkil*. It seems that Al-Azdī al-Miṣrī once again initiated a pioneering work titled *Īdāḥ al-Ishkāl fī al-Riwāyāt*.<sup>31</sup> Ibn al-Ṣalāḥ discussed this phenomenon under Category 48.<sup>32</sup> He immediately connected it with *tadlīs* (tradent's obfuscation of source) and highlighted al-Khaṭīb's intentional multiplying of his professors' name.<sup>33</sup> Al-Khaṭīb had elucidated many dimensions of *tadlīs* in a specific work. The problem of *tadlīs*, either for trickery or strategy, can be solved through the technique of *takhrīj*, whose first concrete step is *ta'yīn al-rāwī*. In *al-Kifāyah*, al-Khaṭīb pursued the section on the theoretical explanation of *tadlīs* with a section related to *ta'yīn al-rāwī*.<sup>34</sup> It shows that *ta'yīn* can eliminate the problem induced by multiplicity.

Al-Khaṭīb, then, treated a more complicated problem connected to multiplicity. He tackled the subject of an informant with two patronyms where most often the father's name is similar to the father's teknonym. For instance, he presented the case of Ma'dān ibn Ṭalḥa and Ma'dān ibn Abī Ṭalḥah when both refer

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<sup>29</sup> Published (Damascus: Dār Ṭilās, 1987).

<sup>30</sup> Unpublished (Mss. Islamic Univ. of Madinah, [1236] 634).

<sup>31</sup> Unpublished, see: Brockelmann, *GAL*, 1:281. Arabic version: 3:231. Sezgin, *Tārīkh al-Turāth al-ʿArabī*, 1:461.

<sup>32</sup> Ibn al-Ṣalāḥ, *Introduction*, 241-242.

<sup>33</sup> The *tadlīs* referred to here is assigning a reference that does not immediately point to a narrator. His designation, hence, is multiplied. The purpose of this kind of *tadlīs* varies from concealing the low credibility of a narrator to keeping the student or a reader attentive by offering variations. See exposition of al-Khaṭīb's *tadlīs* in: al-Sakhāwī, *Fath al-Mughīth*, ١:٣٣٤. Al-Khaṭīb recorded his professors by many names and that one needs to master *takhrīj* in order to identify his informant in an *isnād*.

<sup>34</sup> *Bāb al-qawl fī al-rajulayn yashtarikān fī al-ism wa'l-nasab, fa-tajī'u al-riwāyat 'an aḥadihima min ghayr bayān, wa aḥaduhuma 'adl wa'l-ākhar fāsiq. al-Kifāyah*, 2:165.

to the same individual. This was treated extensively in the first section of his work titled, *Ghunya al-Multamis 'Idāh al-Multabis*. According to al-Khaṭīb, a ḥadīth critic needs to be aware of this phenomenon since there are instances where the similar case such as Bashīr ibn 'Amr and Bashīr ibn Abī 'Amr, actually refers to two different individuals. Only a real expert would then be able to discover instances such as this and he will be undoubtedly aware of a difference between the *mudallas* (projected multiplicity for the sake of obfuscation) and mere variations of designation. This is another concrete evidence for *ta'yīn* being devised to potentiate (strengthen) a *riwāyah*.

#### 6.1.5 *Al-Mu'talif wa'l-Mukhtalif*

Al-Azdī al-Miṣrī once again introduced another huge problem in *isnād* orthography where variations in phonetics affect the identification of the narrator.<sup>35</sup> The form سلام, for instance, may lead to Muḥammad ibn Salām al-Bīkandī al-Bukhārī and Muḥammad ibn Sallām al-Sā'ih, depends on the way a reader identifies the sound. He pioneered a work titled *al-Mu'talif wa'l-Mukhtalif* to treat the homographic heterophonic labels that lead to multiple individuals. The gravity of this subject is buttressed by the fact that al-Dāraqūṭnī had asked al-Azdī al-Miṣrī to read his work to him and eventually composed his own work with the same title.<sup>36</sup> Al-Khaṭīb learned about this intriguing project through al-Barqānī and al-Ṣūrī.<sup>37</sup> Al-Khaṭīb then proved his extensive gauging of *isnād* corpora by composing a magnanimous supplement to the two giants' works that he titled *al-Mu'tanif Takmilah al-Mu'talif wa'l-Mukhtalif* (The Commencement, A Supplement for Cases of Homographic Heterophonic References). His work contributes in five ways: (1) supplying cases which were not mentioned by them, (2) rectifying their errors, (3) adding the overlooked variations and identifications related to the homographs they featured, (4) elaborating the information given previously in an overly concise

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<sup>35</sup> al-Azdī al-Miṣrī, *al-Mutalif wa'l-Mukhtalif fī Asmā' Naqalat al-Ḥadīth* (Beirut: Dār al-Gharb al-Islāmī, 2007).

<sup>36</sup> al-Dāraqūṭnī, *al-Mu'talif wa'l-Mukhtalif* (Beirut: Dār al-Gharb al-Islāmī, 1986).

<sup>37</sup> Usāmah al-Sayyid, *Asānīd al-Miṣriyyīn* (Cairo: Dār al-Faqīh, 2011), 171-174.

manner, and (5) presenting more superior *isnāds* for *ḥadīths* they recorded in their works. The Egyptian idea then was revised and expanded extensively in Baghdād.

This subgenre has also shown that *ḥadīth* critics have not only discovered the difficulties engendered by relative vowel markings, but they also demonstrated variations related to diacritical pointing of letters and phoneme identification. Example for pointing is the form *سند* that may lead to Subad ibn Razām ibn Māzi (سبد) and Sanad ibn Muḥammad ibn Sanad (سند). Meanwhile, the example for phonemic variation is *فهر*. The last letter may be identified with *dāl* or *rā'* that leads to respectively Fahd ibn Kathīr (فهد) and Fihir ibn Mālīk (فهر).

Al-Khaṭīb's work was edited until the end of his life as he only revealed it to the Baghdādians when he returned from his stay in Tyre. Due to its late composition, his student Ibn Mākūlā has discovered several errors and shortcomings. Al-Khaṭīb was aware of this revision and requested the student's review. However, Ibn Mākūlā revealed his work only after the demise of al-Khaṭīb. Ibn Mākūlā's work (Rectifying *Awhām*) then proves to be easier in organisation and more comprehensive, which granted him Ibn Ḥajar's remark as the best reference in the subject.<sup>38</sup> Al-Khaṭīb's work, however, remains more useful with regard to *ḥadīth* retracement since Ibn Mākūlā eliminated *ḥadīths* from his work. Once again, al-Khaṭīb's idea of *ta'yīn* genre was not simply a preservation of individual profiles, but connected to attaining expertise in *takhrīj* and *ḥadīth* criticism. Nevertheless, the case of homographic heterophonic names has inspired al-Khaṭīb on another challenging subject which is the instances where the labels are homographic and homophonic, yet they still lead to multiple individuals.

#### 6.1.6 *Al-Muttafiq wa'l-Muftariq*

When Ibn al-Ṣalāḥ expounded this topic in Category 54, he identified seven patterns of homophonic labels with possibility of multiple individuals referred by a

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<sup>38</sup> Ibn Mākūlā, *Tahdhīb al-Awhām*, 57-58. This work was intended to rectify the errors of al-Azdī al-Miṣrī, al-Dāraqūṭnī, al-Khaṭīb's errors in rectifying them, and al-Khaṭīb's errors in his work. Prior to this, Ibn Mākūlā has already compiled a dictionary of homographic referential labels combining between content from al-Khaṭīb's *al-Mu'talif wa'l-Mukhtalif*, al-Dāraqūṭnī's work, and two of al-Azdī al-Miṣrī's works, *al-Mu'talif wa'l-Mukhtalif* and *Mushtabih al-Nisbah*. See below fn.

pattern.<sup>39</sup> Based on this, he evaluated al-Khaṭīb's pioneering work as non-exhaustive of all patterns. These patterns are:

- (1) Homophonic given names and patronyms, e.g. al-Khalīl ibn Aḥmad that was borne by six individuals.
- (2) Homophonic given names, patronyms and higher patronyms, e.g. Aḥmad ibn Ja'far ibn Ḥamdān that was borne by four individuals.
- (3) Homophonic teknonyms and gentilics, or teknonyms and nicknames, e.g. Abū 'Imrān al-Jawnī, which was borne by two individuals, and Abū Bakr ibn 'Ayyāsh that was borne by three individuals.
- (4) Homophonic given names and fathers' teknonyms, e.g. Ṣāliḥ ibn Abī Ṣāliḥ that refers to four individuals.
- (5) Homophonic personal names, patronyms and gentilics, e.g. Muḥammad ibn 'Abd Allāh al-Anṣārī that refers to two individuals.
- (6) Homophonic names or teknonyms without further associations, e.g. Ḥammād or Abū Ḥamzah.
- (7) Homophonic gentilics e.g. al-Ḥanafī that may refer to a tribe or a legal school.

It was discovered that al-Khaṭīb had treated the sixth pattern in his work on *muhmal*. As for the seventh pattern, the early *ḥadīth* experts treated this subject within the genre of *ansāb* (affiliations). Another possibility is that it was detailed in the lost *al-Asmā' al-Mutawāṭi'ah*. All the previous five patterns had already been addressed by al-Khaṭīb in his work *al-Muttafiq wa'l-Muftariq*.

In his catalogues of works, al-Kattānī mentioned three works with the same title. However, the earliest by Abū Bakr al-Jawzaqī (338/998) of Nishapur does not address the same subject.<sup>40</sup> Based on this and further studies, al-Khaṭīb's work was the first and the only existing one which has preserved 1751 cases capable of producing innumerable possibilities. Every case was supported with the occurrence of the name in the *isnād* and the *ḥadīth* to which it is attached. The introduction of

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<sup>39</sup> *Introduction*, 277.

<sup>40</sup> *al-Muttafiq wa'l-Muftariq*, the work of al-Jawzaqī should be considered amongst the *mustakhrājāt* since it treats the agreed *ḥadīth* (*muttafiq*) and separately reported *ḥadīth* (*muftariq*) of al-Bukhārī and Muslim. This should be added to Brown's analysis of *mustakhrāj* genre and al-Jawzaqī preceded al-Ḥākim in his searching for the underlying pattern of *Ṣaḥīḥayn*. See: Ibn Nuqṭah, *al-Taḥyīd*, 1:215, Ibn Hajar, *al-Nukat 'alā Kitāb Ibn al-Ṣalāḥ* (Islamic University of Madinah, 1984), 1:136, Brown, *Canonization*, 104-114. Another work mentioned by al-Kattānī was by al-Ḥāfiẓ Ibn al-Najjār, See: al-Kattānī, *al-Risālah*, 115.



work on this subject has amazed all authors in *ḥadīth* criticism that no single book on *ḥadīth* terminologies afterward left the discussion on *al-Muttafiq wa'l-Muftariq*.<sup>41</sup> Initially, the motivation for this work was triggered by an error made by Ibn Maʿīn who mistaken ʿAbd al-Malik ibn Qurayr (قريين) for ʿAbd al-Malik ibn Qurayb (قريب), since both ʿAbd al-Malik were informants for Mālik ibn Anas. Ibn Maʿīn charged Mālik with error in reporting it as Ibn Qurayr. Al-Khaṭīb refuted him and defended Mālik. Although this incident would better suit the subject of homographic heterophonic patronyms, al-Khaṭīb unravelled potential errors of misidentification and proved the high potentiality of rectification through unparalleled adroitness in *isnād* scrutiny. This serves as a challenge to anyone who aspires to theorise *ḥadīth* criticism.

#### 6.1.7 *Al-Mutashābih fī al-Rasm*

Based on the two previous categories, al-Khaṭīb invented a new category that combines both homographic heterophonic and homophonic labels. Prior to him, al-Azdī al-Miṣrī highlighted different possibilities of reading gentilics due to cases of homographic heterophonic in his work, *Mushtabih al-Nisbah*. The gentilic السبى according to him could be read al-Sibyī, al-Shaybī, al-Sībī and al-Sabnī, and he supplied each reading with an individual affiliated with it.<sup>42</sup> Al-Khaṭīb expanded this idea to invent a distinct subject that is *al-mutashābih fī al-rasm*. It refers to the same reading possibilities, however, with extension to the given names and patronyms. It includes possibilities of homophonic label in part of a designation, albeit heterophonic in the other part. It bears a high possibility of error for a failure in reading a part of personal name while there is similarity that occurs in the other part that will lead to an extremely wrong identification. This culminates in his monumental work, *Talkhīṣ al-Mutashābih fī al-Rasm wa-Ḥimāyat mā Ashkala minhu ʿan Bawādir al-Taṣhīf wa'l-Wahm* (A Conclusive Guide on Homophonic and Heterophonic Problems and Solving the Problems of Distortions and Errors).

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<sup>41</sup> See for examples: al-Bulqīnī, *Maḥāsin al-Iṣṭilāḥ*, 613, al-Sakhāwī, *Fatḥ al-Mughīth*, 4:285; Ibn Ḥajar has begun to abridge al-Khaṭīb's work.

<sup>42</sup> al-Azdī al-Miṣrī, *Mushtabih al-Nisbah* (India, Ilah Abad: 1327/1909), 37.

Approximately, 1442 entries have been treated in this work distributed into five chapters. There is a noticeable outline in each chapter even though al-Khaṭīb did not explicitly mention them. First, he will list heterophonic patronyms of the narrators. Then, he will present its occurrences in the given names. If there are cases connected to single variation caused by the hidden superscript *alif*, he presented them in the third part of each chapter. The book has this part in the first, second and fourth chapter. However, in the fourth chapter, it was deferred to the end of the chapter. Except for the first chapter, the fourth part of each chapter addresses the occurrences of heterophonic labels in both given name and patronym. This is the basic outline of every chapter.

As for the differences between chapters, Chapter One treated the variants in vowel marking. For example, the form عمرو بن سلمه could refer to both ‘Amru ibn Salamah and ‘Amru ibn Salimah. Whereas the example for hidden superscript *alif* in this chapter is سعد بن صليح. Assuming that there is a dagger *alif* after the letter *ṣād*, the name may refer to Sa‘īd ibn Ṣāliḥ al-Kūfī al-Asadī, while without an *alif*, it may refer to Sa‘īd ibn Ṣulḥ al-Qazwīnī. In the Chapter Two, al-Khaṭīb addresses cases of consonantal points, first with regard to one letter, then with regard to two and ultimately three letters in a name. Example for two letters is the form عبد الله بن معقل may refer to both ‘Abd Allāh ibn Ma‘qil and ‘Abd Allāh ibn Mughaffal. As for Chapter Three, it was divided into two sections: the first concerning the variants in the apposition of one letter; the second treats phoneme identification for two letters and their appositions. For the first, the form عبد الله بن ارم may refer to ‘Abd Allāh ibn Arqam and ‘Abd Allāh ibn Arqam. As for the second, the form معتل بن سار may refer to Ma‘qil ibn Yasār and Ma‘qil ibn Sinān. These instances are studied according to the aforementioned order.

In Chapter Four, al-Khaṭīb presented variants occurred because of phoneme identification and connective form of letters. Examples for this are عبد الله بن منى that could be read ‘Abd Allāh ibn Munīb, ibn Minbar and Qunbur, and ريار بن حدر that could be read Ziyād ibn Ḥudayr and Ziyād ibn Jubayr (when the second letter is read connected to the third). Finally, the last chapter concerns the form بن which could refer to both *ibn* and *bint*. One of the cases al-Khaṭīb mentioned was Umayyah *ibn* Abī al-Ṣalt and Umayyah *bint* Abī al-Ṣalt.

The complicated arrangement mentioned above regarding al-Khaṭīb's work has diverted the attention of later scholars to the work of his student, Ibn Mākūlā, titled *al-Ikmāl fī Raf' 'Āriḍ al-Irtiyāb 'an al-Mu'talif wa'l-Mukhtalif*.<sup>43</sup> Although this work was based on al-Khaṭīb's *al-Mu'talif wa'l-Mukhtalif*, its equal attention to *Mushtabih al-Nisbah* of al-Azdī al-Miṣrī has convinced scholars to include it in the category of *al-Mushtabih*. It was also on the latter's book, Ibn Nuqṭah based his work, *Ikmāl al-Ikmāl* or *al-Istidrāk*. Our study of al-Khaṭīb's work, however, has revealed that out of 25 main patterns he provided in the work, Ibn al-Ṣalāḥ mentioned only five patterns under Category 55.<sup>44</sup> However, it was Ibn al-Ṣalāḥ who maintained that *al-mutashābih fī al-rasm* is a distinct category from *al-mu'talif wa'l-mukhtalif* focused by Ibn Mākūlā.

Al-Khaṭīb himself had supplied his work with another work. He found that the amount of cases involving a single letter difference would require a separately dedicated work. Hence, *Tālī Talkhīṣ al-Mutashābih* (A Sequel for the Conclusive Guide on Homophonic and Heterophonic Problems) was composed consisting of two major sections. The first section tackles the cases of the personal names of narrators. The example for this is Zayd ibn Jubayr and Ziyād ibn Jubayr, where the difference is in the additional *alif* (زيد، زياد). The likes of this case will be placed under the chapter on *alif*. The first section, then, enlisted (ا، ب، ت، ط، ف، ل، م، و، هـ، ي). The second section of this work treated these differences in the patronymics. Under the chapter on *yā'*, for instance, al-Khaṭīb mentioned Qays ibn Sa'īd and Qays ibn Sa'd. A single *yā'* differentiates them (سعيد، سعد). Al-Khaṭīb succeeded in listing numerous accounts for the letters (ا، ب، ت، ر، ف، ل، م، ن، و، هـ، ي) for this section. Based on the non-complete manuscript of this work, al-Khaṭīb had provided 83 basic entries with 222 variations for the first section, while for the second; he listed 63 basic entries with 164 variations. Whenever available, he will present the *ḥadīth* narrated by the narrator with the variant, which has granted the book a collection of 289 *ḥadīths*. Some of the missing entries and variations in this work were discovered in the abridged version

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<sup>43</sup> Published (Cairo: Dār al-Kitāb al-Islāmī).

<sup>44</sup> *Introduction*, 283-285.

of it made by al-Suyūṭī.<sup>45</sup> Although al-Khaṭīb's arrangement of materials is difficult to follow, they had also provided him with useful information for determining instances such as inversions that occurred in the names of narrators.

### 6.1.8 *Al-Mushtabih al-Maqlūb*

Al-Khaṭīb had discovered another potential route for misidentification within *isnāds*. He collected the cases in *Rāfi' al-Irtiyāb fī al-Maqlūb min al-Asmā' wa'l-Ansāb* (The Dispeller of Doubts in Cases of Switches between Names and Patronyms). Unfortunately, the work is not extant. Nevertheless, the present study has traced the excerpts from it through citations made by al-Ḥāfiẓ Mughulṭāy in his dictionary of narrators.<sup>46</sup> It shows that the work concerns the switching of order between the first name of a narrator and his patronym where coincidentally there exist another one or more narrators who bear the inverted name.<sup>47</sup> Amongst the cases given by al-Khaṭīb in this work is Ziyād ibn al-Mundhir and al-Mundhir ibn Ziyād.<sup>48</sup> Both were borne by real narrators. Ibn al-Ṣalāḥ explained this subject under Category 56 and criticised al-Khaṭīb's title since it gives an impression of a mere switch between the first name and the patronym.<sup>49</sup> For Ibn al-Ṣalāḥ, al-Khaṭīb's work concerns more

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<sup>45</sup> It is known as *Khulāṣah al-Kitāb al-Tālī li'l-Talkhīṣ* (Unpublished). Al-Suyūṭī followed al-Khaṭīb in dividing the books into two sections; however, he rearranged the names alphabetically based on their first letter, not on the modifying letter. See: *Tālī al-Talkhīṣ*, 1:14.

<sup>46</sup> Mughulṭay, *Ikmāl Tahdhīb al-Kamāl*, 1:234, 2:330, 3:238, 3:331, ٣:٣١٥, 3:335, ٣:٣٦٥, 3:371, ٣:392, ٥:٥٥, ٥:١٢٣, ٥:٢٣٤, 5:289, ٦:٣٠, 6:117, ٦:٣٥٠, 7:20, ٧:٦٧, ٧:155, 7:309, ٧:٣٧٢, 8:8, ٨:١٩, 8:22, ٨:٥٥, 8:59, 8:133, 8:194 and 8:196.

<sup>47</sup> Inversions in *ḥadīth*-related subjects:

- The wording disorder where the order of words in the *matn* is inverted.
- The *isnād-matn* switch where an *isnād* for a *matn* is replaced with an *isnād* for another *matn*.
- The partial-*isnād* switch where part of the *isnād* is switched with a part from another *isnād*.
- The basic name-patronym switch where the first name is switched with the patronym.
- The consequential name-patronym switch where as a consequence of the above, another narrator is mistakenly identified.
- The reference-bearer switch where a narrator is mistakenly identified with another due to sharing the same personal name, patronym or gentilic.

Al-Khaṭīb's work treated cases (4) and (5).

<sup>48</sup> Ibid, 5:123.

<sup>49</sup> *Introduction*, 286.

than that where the consequence of the switch by mistaking the narrator for another narrator who bears the inverted name constructs the main gist of the book. He suggested the title “Transmitters resembling one another in names and patronyms and distinguished by the inversion of their names and patronyms.” It was al-Ḥāfiẓ Abū’l-Faḍl al-‘Irāqī who then named this phenomenon as *al-mushtabih al-maqlūb* (inverted homophonies).<sup>50</sup> Ultimately, Ibn Ḥajar al-‘Asqalānī composed a work titled *Nuzhat al-Qulūb fī Ma‘rifat al-Mubdal wa’l-Maqlūb* suggesting a distinction between *al-qalb* (inversion) and *al-ibdāl* (replacement).<sup>51</sup>

Ibn al-Ṣalāḥ had already alluded to the fact that this inversion might have been mistakenly done by scholars such as al-Bukhārī. He cited a case from *al-Tārīkh al-Kabīr* where al-Bukhārī reversed the name Muslim ibn al-Walīd, who is ibn Rabāḥ al-Madanī, into al-Walīd ibn Muslim.<sup>52</sup> The inverted name refers to the renowned Damascene student of al-Awzā‘ī. The likes of these instances have inspired al-Khaṭīb to prove his profundity in *ḥadīth* expertise by composing in the genre of *awḥām* as will be presented soon.

### Excursus I: The Tradition of ‘Abd Allāh ibn Sa’d

In his *al-Tārīkh al-Kabīr*, al-Bukhārī provided two entries: Ḥarām ibn Ḥakīm and Ḥarām ibn Mu‘āwiyah.<sup>53</sup> According to al-Khaṭīb, the two names are referring to a single person and al-Bukhārī has erred in recognising them as two separate individuals. Al-Khaṭīb suggested that it was the narrators from Mu‘āwiyah ibn Ṣāliḥ who alternated between the two names saying sometimes Mu‘āwiyah from al-‘Alā’ from Ḥarām ibn Ḥakīm, and the other Mu‘āwiyah from al-‘Alā’ from Ḥarām ibn Mu‘āwiyah.<sup>54</sup> In his commentary on *al-Muwaḍḍiḥ*, al-Mu‘allimī defended al-Bukhārī by presenting three main arguments:

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<sup>50</sup> *Sharḥ al-Tabṣīrah*, 2:279.

<sup>51</sup> The work is lost. See: *Kashf al-Zunūn*, 2:1945.

<sup>52</sup> Al-Bukhārī, *al-Tārīkh al-Kabīr* (India: Dā‘irat al-Ma‘ārif al-‘Uthmāniyyah), 8:153 (2534), Ibn Abī Ḥātim, *Bayān Khaṭa’ al-Bukhārī* (India: Dā‘irat al-Ma‘ārif al-‘Uthmāniyyah), 130 (608).

<sup>53</sup> *Ibid*, 3:101(351) and 3:102(353).

<sup>54</sup> *Muwaḍḍiḥ*, 1:108. Recipients from Ibn Maḥdī differed in their narrations as well.

- (1) The mention of Ḥarām ibn Mu‘āwiyah in all al-Khaṭīb’s *isnāds* is the result of an error in transmission.
- (2) No one has ever mentioned Ibn Mu‘āwiyah amongst the ancestors of Ḥarām.
- (3) The *ḥuffāz* have agreed on distinguishing between the two narrators.

Al-Khaṭīb had presented four strands to ‘Abd al-Raḥmān ibn Maḥdī to prove that Ibn Maḥdī was aware that the informant for al-‘Alā’ ibn al-Ḥārith was Ḥarām ibn Mu‘āwiyah. He reported that Yaḥyā al-Ḥimmānī had possibly narrated it from Ibn Maḥdī otherwise: naming him Ḥarām ibn Ḥakīm.<sup>55</sup> Through the application of *takhrīj*, we know that both were reporting the same *ḥadīth* of ‘Abd Allāh ibn Sa‘d, the Companion-figure. In addition to al-Khaṭīb, more than six sources recorded Ibn Maḥdī reporting it from Mu‘awiyah ibn Ṣāliḥ from al-‘Alā’ featuring Ḥarām ibn Mu‘āwiyah.<sup>56</sup> Based on al-Mu‘allimī’s argument, all the previous sources have erred in transmitting the name as Ibn Mu‘awiyah. Although some of the sources reported from Ibn Maḥdī otherwise (Ḥaram ibn Ḥakīm),<sup>57</sup> Abū Nu‘aym had recorded a support for the first version of Ibn Maḥdī’s narration where Ibn al-Madīnī narrated it from Mu‘awiyah from al-‘Alā’ mentioning Ḥarām Ibn Mu‘awiyah too. These corroborative chains reflect that the two names were variably referring to a single narrator from ‘Abd Allāh as asserted by al-Khaṭīb. If the mention of Ibn Mu‘āwiyah was an error as argued by al-Mu‘allimī, al-Bukhārī had created an individual out of error in sources. In addition, while biographical sources state that Ḥarām ibn Ḥakīm is a nephew of ‘Abd Allāh, we find Abū Nu‘aym asserted that ‘Abd Allāh is the uncle of Ḥarām ibn Mu‘āwiyah. A patronymic pattern does not necessarily indicate someone in the line of ancestry. As argued by al-Khaṭīb, al-Haytham ibn Ḥumayd had narrated the same *ḥadīth* of Ḥarām ibn Mu‘awiyah while naming him Ḥarām ibn

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<sup>55</sup> Traced in: Abū Nu‘aym, *Ḥilyah*, 9:51.

<sup>56</sup> Traced in: Ibn Sa‘d, *al-Ṭabaqāt al-Kubrā* (Beirut: Dār Ṣādir, 1968), 7:501, Ibn Ḥanbal, *Musnad* (Beirut: Mu‘assasah al-Risālah, 2001), 37:181(22505), 31:346(19008), al-Tirmidhī, *al-Jāmi‘ al-Kabīr* (Beirut: Dār al-Gharb, 1998), 1:197(133), cf. footnote, al-Dārimī, *Musnad* (Saudi Arabia: Dār al-Mughnī, 2000), 189(1189), Abū Nu‘aym, *Ma‘rifat al-Ṣaḥābah*, 3:1670, al-Maqdisī, *al-Aḥādīth al-Mukhtārah* (Beirut: Dār Khayr, 2000), 9:411, and many others.

<sup>57</sup> Ibn Ḥanbal, *Musnad*, 31:346(19007),

Ḥakīm.<sup>58</sup> The ḥuffāz were not necessarily in agreement with al-Bukhārī when they were merely reporting two variations of a single transmission. For this reason, al-Khaṭīb's argument against al-Bukhārī seems convincing enough to later biographers that the dispute has been unfailingly highlighted in their works.<sup>59</sup> This observation of al-Khaṭīb is not possible without erudition in all previous categories discussed above.

## 6.2 The Errors of the Prominent Ḥuffāz

The above is error number 29 al-Khaṭīb mentioned under the section on the errors of al-Bukhārī in his work, *The Book that Expounds the Errors of Unification and Multiplication*. Al-Khaṭīb also stated that al-Dāraquṭnī may have copied al-Bukhārī in his *al-Mu'talif wa'l-Mukhtalif*.<sup>60</sup> Al-Khaṭīb noticed some of al-Dāraquṭnī's criticism on al-Bukhārī in similar cases. Al-Bukhārī's *al-Tārīkh al-Kabīr* had received diverging responses from ḥadīth experts.<sup>61</sup> Subsequently, al-Khaṭīb discovered that Ibn Abī Ḥātim's criticism of al-Bukhārī's *Tārīkh* was often based on errors that were the result of his misreading of the work.<sup>62</sup> Al-Mu'allimī, however, explained that al-Bukhārī's *Tārīkh* was published three times with revisions. Hence, the copy Ibn Abī Ḥātim had in front of him was not the copy which al-Khaṭīb consulted.<sup>63</sup> In the case of the above error, al-Mu'allimī did not refer to variations in copies, as he would do in other cases to defend al-Bukhārī. Nevertheless, al-Khaṭīb presented in his works the likes of the above error and attacked fiercely the great ḥuffāz before him. The present form of *al-Muwaddiḥ* supplies us with seventy-four errors of al-Bukhārī, eleven errors of Ibn Ma'īn, four errors of Ibn Ḥanbal, two errors of Ibn al-Madīnī, an

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<sup>58</sup> Traced in: al-Dārimī, *Musnad*, 290(1191).

<sup>59</sup> See: al-Mizzī, *Tahdhīb al-Kamāl* (Beirut: Mu'assasah al-Risālah, 1980), 5:517, and all works that add on him.

<sup>60</sup> 2:572 and 573.

<sup>61</sup> Brown, *Canonization*, 68. For the reception of the work, see page 96-97.

<sup>62</sup> See his work: *Bayān Khaṭā' al-Bukhārī*.

<sup>63</sup> This was seconded in: Melchert, "Bukhārī and Early Ḥadīth Criticism," *Journal of the American Oriental Society*, 121:1 (2001): 8. Some provisional views on the textual history of *al-Tārīkh al-Kabīr* were provided. No study has been made on *Muwaddiḥ* as a copy of the work.

error of Muḥammad al-Dhuhli, two errors of Ya‘qūb al-Fasawī, six errors of Muslim ibn al-Ḥajjāj, two errors of Ibrāhīm ibn Ishāq al-Ḥarbī, an error of Abū Dāwūd al-Sajistānī, three errors of Abū al-‘Abbās Ibn ‘Uqdah, an error of al-Dāraquṭnī, an error of Ibn Abī Ḥātim, and an error of Abū Bakr Ibn ‘Abdān al-Shīrāzī in his revision of al-Bukhārī. Al-Khaṭīb then proceeded with eight cases, which could not be decisively solved where some of these *ḥuffāz* had erred as well. To prevent the future traditionists from falling into the same errors, al-Khaṭīb provided afterwards 544 entries where similar mistakes could happen. Although al-Khaṭīb’s fascinating apology in the preface of the work was taken by Brown to illustrate the canonical culture around *ṣaḥīḥayn* in Baghdād,<sup>64</sup> al-Khaṭīb’s responses carried very disparaging remarks such as “al-Bukhārī has erred dreadfully (*khaṭā’ qabīḥ*) in this point.” Furthermore, the book was not confined to errors of al-Bukhārī. It portrays an honest recognition of problem and doubt in the corpus of transmission and evokes *takhrīj* from those ‘*ruziqa al-baḥṭh wa’l-fahm wa-in‘ām al-naẓar* (endowed with ability and opportunity to perform research and equipped with understanding and deep speculation).’<sup>65</sup> It serves as an emblem of achievement and authority amongst the Baghdādian traditionalists that al-Khaṭīb had always been compared to al-Dāraquṭnī. For al-Khaṭīb, every generation has their own scholar to be consulted although those who came later in time were indebted to the former. Al-Khaṭīb quoted the Shāfi‘ī’s propagator of *munāẓarah*, al-Muzanī who said, ‘If a book were revised seventy times, there would still be a mistake in it, for God has not permitted that any book be *ṣaḥīḥ* except His Book (the Qur’ān).’ Then, he cited ‘Abd Allāh ibn Aḥmad ibn Ḥanbal indicating the same. With this work, al-Khaṭīb grounded firmly another genre that an expert who wants to perform *takhrīj* must engage which is the genre of *awhām* (errors).

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<sup>64</sup> *Canonization*, 265-267. It is worth noting that this book was meant for *ḥadīth* experts. The apology is then understandable.

<sup>65</sup> *Muwaḍḍiḥ*, 1:5.



### 6.3 Potentiality in the face of *Awhām*

It is tempting to trace the genesis of *awhām* genre to the rationalistic challenge upon the traditionalists' total reliance on transmitted reports and rejection of speculative resorts. It was reported that the accusation of *tadlīs* (*isnād* trickery) was launched first by al-Ḥusayn al-Karābīsī (258/872), a close friend of Ibn Ḥanbal. Al-Karābīsī was a prominent traditionist himself, but his exposé of *tadlīs* was exploited by the Mu'tazilites to attack the activity of the traditionalists. This disgruntled Ibn Ḥanbal and in return it costed al-Karābīsī his scholarship in Baghdād due to the former's negative remark. According to Ibn Ḥanbal, al-Karābīsī has wickedly achieved what the opponents previously failed.<sup>66</sup> Al-Khaṭīb reported al-Ṣayrafī cautioning Shāfi'īte disseminators in Baghdād of the effect of Ibn Ḥanbal's remarks by comparing between the fate of al-Karābīsī and Abū Thawr.<sup>67</sup> The aforementioned friendship turns into enmity and al-Karābīsī was later known amongst the traditionalists, including al-Khaṭīb, as the first theologian to assert that one's pronunciation of the Qur'ān was created (*lafẓiyyah*). Melchert identified this point as the reason for Ibn Ḥanbal's attack on al-Karābīsī and included the latter amongst the semi-rationalists.<sup>68</sup> Al-Karābīsī was eventually deemed the leader of *al-Lafẓiyya* and later Ḥanbalī sources qualified them as being more evil than Jahmiyya.<sup>69</sup> Interestingly, al-Bukhārī whose legacy began to challenge that of Ibn Ḥanbal was associated with similar issues. The idea of al-Bukhārī's stricter rule of *isnād* in the *Ṣaḥīḥ* was connected to the elimination of even the slightest possibility of *tadlīs*.<sup>70</sup> Yet, al-Bukhārī's similar practice of resorting to *ta'līq* (the citation of a suspended

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<sup>66</sup> Ibn Rajab al-Ḥanbalī, *Sharḥ 'Ilal al-Tirmidhī* (Dār al-Mallāḥ, 1978), 2:807, *Siyaḥ*, 11:290.

<sup>67</sup> Despite that al-Ṣayrafī already recognised al-Karābīsī as ten times more knowledgeable than Abū Thawr. *TMS*, 8:611. Al-Khaṭīb was concerned with al-Karābīsī's legacy that he explained the scanty *ḥadīths* narrated from this Shāfi'ī's disciple was due to Ibn Ḥanbal's remark. Otherwise, his writings prove his wise understanding and vast knowledge.

<sup>68</sup> *Formation*, 71-72.

<sup>69</sup> Ibn Baṭṭah, *al-Idānah al-Kubrā* (Riyadh: Dār al-Rāyah, 1994), 5:344. Ashā'irah elaborated the verbal noun *lafẓ* as indicating both *malfūẓ* (noun for the object of utterance) and *talaffuẓ* (noun for the act of uttering). This scheme of thinking affects the way of *takhrīj al-ma'nā* as will be discussed soon.

<sup>70</sup> See a thorough study on this: Khalid al-Durays, *Mawqif al-Imāmayn al-Bukhārī wa-Muslim min Ishtirāṭ al-Luqā wa'l-Samā' fī al-Sanad al-Mu'an'an* (Riyadh: Maktabat al-Rushd). Also: Brown, *Canonization*, 284.

*isnād*) was also criticised by the traditionists.<sup>71</sup> He too was attributed to *lafẓiyyah*, which according to Brown, was told by al-Khaṭīb in the tone of vindication, for the Ashʿarīs in essence adopted *lafẓiyyah* as the right position.<sup>72</sup>

Nevertheless, the above perceptions illustrate to some extent the relation between *tadlīs*, *tawārīkh* and *awhām* genres that inform the polemical background behind the formulation of *takhrīj al-riwāyah*. It spells out a history of intense revision of what Muhammad Abd al-Rauf terms “the *ṣaḥīḥ* movement,” or more precisely, the *taṣḥīḥ* (evaluation) of diffused traditions.<sup>73</sup> From the perspective of *Ṣaḥīḥayn* historiography provided by Brown, they serve the *takhrīj* paradigm envisioned by al-Ḥākim al-Naysābūrī and adopted by any later critic who applied the rules of *Ṣaḥīḥayn*. Brown, however, did not consider al-Tirmidhī’s earlier practice as appropriating another sense of *takhrīj* prevalent amongst the scholars of traditional *fiqh*. Apart from mentioning after almost every *ḥadīth* in his *Jāmiʿ* that “on the same subject, there were *ḥadīths* reported from so-and-so amongst the Companions”, al-Tirmidhī also retraced the practice of a *ḥadīth* content amongst the prominent scholars. It is a unique documenting endeavour where a *maʿnā* of *ḥadīth* is being traced beyond its verbal expressions and extending beyond the *Ṣaḥīḥ*’s collections. Al-Khaṭīb referred to al-Tirmidhī’s work as *ṣaḥīḥ*. *Takhrīj* in this regard, was more than a salient application of *Ṣaḥīḥayn* canon.<sup>74</sup>

From the perspective of *taʿyīn al-rāwī*, of all al-Khaṭīb’s related works, none was confined or specified to the narrators of *Ṣaḥīḥayn*. Rather, they seem to illustrate the quest for personal authority in *isnād* study and *ḥuffāẓ*-ship. The early works of al-Azdī represent an Egyptian attempt while the Andalusian attempt of Ibn al-Faraḍī requires further scrutiny due to the lack of primary materials. It was only

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<sup>71</sup> Mohammad Fadel, “Ibn Hajar’s Hady al-Sārī: A Medieval Interpretation of the Structure of al-Bukhārī’s al-Jāmiʿ al-Ṣaḥīḥ” *Journal of Near Eastern Studies* 54:3 (Jul. 1995): 170. See: *Muʿallaq*.

<sup>72</sup> al-Subkī, *Tabaqāt*, 2:117: Many Ḥanbalīs attempted to portray Ashʿarīyah as Jahmiyyah including his professor al-Dhahabī.

<sup>73</sup> Muḥammad Abd al-Rauf, *Ḥadīth Literature*, 274

<sup>74</sup> *Canonization*, 211.

in the second generation of al-Khaṭīb's students, the work on *al-Mu'talif wa'l-Mukhtlif*, for instance, addresses solely the narrators of *Ṣaḥīḥayn*.

On the epistemological plane, the whole corpus of *ta'yīn al-rāwī* and the genre of *awhām al-muḥaddithīn* have induced the sense of "unstable transmissions" within the mega project of the traditionalists. The works serve ironically as both solution and problem for *isnād* potentiality. *Ṣaḥīḥayn* have been proposed as the model during al-Khaṭīb's time for the high potentiality awarded to the *ḥadīth* they reported; yet they also require a canonisation process as elaborately shown by Brown. It is within these circumstances that we may apprehend al-Khaṭīb's remark as he stated: 'The reports which were transmitted in the *Ṣiḥāḥ*'s works on the *Sunnah* do not yield incontrovertible knowledge (*'ilm*), although they obligate action upon their imperatives.'<sup>75</sup> Al-Khaṭīb explained this more explicitly in *al-Kifāyah* as he maintained "that the reports transmitted by *aṣḥāb al-ḥadīth* on disputed laws inform the third type of human report in general; a type where one does not really know whether it is authentic or not. It is obligatory upon a traditionalist to suspend and cease from deciding whether they are conclusively authentic or not, for there is no way that one can be sure of that. One side in the disputed subjects is no better than the other".<sup>76</sup>

Although al-Khaṭīb's classification of reports reiterates the division advanced by early speculative rationalists, apparently al-Khaṭīb was not simply adopting it in favour of a rational method. He encountered hundreds of possibilities of errors in the aforementioned works in this chapter and the continuous revision within the *awhām* genre; it is understandable that negotiation on the authenticity of *ḥadīth* especially in written materials is inevitable.

To add to the complexity of *takhrīj*, a *ma'nā* could be potentiated, even if the identification of narrator has failed, as long as *tawthīq al-rāwī* (accreditation of the narrator) is recognised. In *al-Kifāyah*, al-Khaṭīb cited al-Bāqillānī who asserted that if we do not know the name and the lineage of a narrator, but we know that he is

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<sup>75</sup> *Kitāb al-Faqīh*. *Ṣiḥāḥ*'s works according to al-Khaṭīb include the work of Muslim, al-Tirmidhī, al-Nasā'ī and Ibn Khuzaymah. TMS, 2:44.

<sup>76</sup> *Fa-lam yakun al-qadā' bi-aḥad al-amrayn fihā awlā min al-ākhar*.

trustworthy and reliable, it is incumbent upon us to accept his transmission.<sup>77</sup> Al-Khaṭīb did not give any example to show how this is possible.<sup>78</sup>

Nevertheless, this principle is the basis for the acceptance of *ijāzah*. As long as one can be sure of a reliable connection to the Prophet, the requirement of *samāʿ* (direct audition) then is placed at the highest level of potentiality, but not as an exclusive apparatus. Al-Khaṭīb delineated several forms of *ijāzah* in *al-Kifāyah*. According to him, those who follow *ẓāhir* (apparent of things) rejected *ijāzah* for it is nothing more than a disconnected transmission or transmission from anonymous individuals. However, *ijāzah* according to al-Khaṭīb differs as the continuity was guaranteed by the *mujīz* (the issuer of the license).<sup>79</sup> Hence, *riwāyah* transmitted through the way of *ijāzah* yields potentiality and obligates action. Al-Khaṭīb portrayed that a majority of scholars maintain this view including al-Karābīsī, Ibn Ḥanbal and al-Bukhārī.<sup>80</sup>

*Takhrīj* communicates a wider aim for scholars like al-Khaṭīb. In his writings, it is connected with the general *taṣnīf* (arrangement of *maʿānī* into topics). It combines the ability to provide a “clean” and sometimes superior *isnād* for a subject of study and the ability to evidence a sound *maʿnā*. In *al-Jāmiʿ*, al-Khaṭīb advised students of *ḥadīth* to avoid the mere act of copying scripts from the tradents. Those who aspire for headship in *ḥadīth* should exercise *taṣnīf* and only “gripping the pen of takhrīj” can perfect it.<sup>81</sup> Prior to him, al-Rāmhurmuzī quoted al-Karābīsī who criticised the traditionalist Abū ʿUbayd al-Qāsim ibn Sallām for copying al-Shāfiʿī’s arguments without attribution. When asked to resolve a legal problem, Abū ʿUbayd could not rise to the level of al-Karābīsī. Al-Karābīsī then remarked, ‘You are only a transmitter of scripts (*rāwiyah*).’ Al-Rāmhurmuzī concluded from this the

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<sup>77</sup> *al-Kifāyah*, 2:170.

<sup>78</sup> An instance that might exemplify this principle is his acceptance of the tradition of Muʿadh concerning *qiyās* as a *Sunnah*. *FWM*,

<sup>79</sup> *al-Kifāyah*, 2:85.

<sup>80</sup> *Ibid*, 2:80.

<sup>81</sup> *al-Jāmiʿ*, 2:282.

importance of combining between *riwāyah* and *dirāyah*.<sup>82</sup> Eventually, al-Khaṭīb launched his mega project of *takhrīj* that combines the study of *rāwī* and *marwī*.

## Excursus II: The Tradition of the Domestic worker

It was narrated on the authority of Abu Hurairah that a woman used to clean a mosque and later died. The Messenger of God missed her one day and asked about her. Upon being told that she had died, he asked why he was not informed about her passing. It appears as if they had treated her affairs as of normal event. He told them: Lead me to her grave. They led him to the place and he said prayer before the grave. The Prophet said: Verily, these graves are full of darkness for their dwellers. Verily, the Mighty and Glorious God illuminates them by virtue of my prayer over them.

Muslim recorded this tradition in his *Ṣaḥīḥ* featuring the following chain: Ḥammād ibn Zayd > Thābit > Abū Rāfi' > Abū Hurayrah.<sup>83</sup> Regardless of any other issues pertaining to this *ḥadīth*, one may ask an important question concerning the text. Why was the grave filled with darkness while the cleaner has been doing good deeds and noticed by the Prophet himself? It is already believed by Muslims that good deed will be rewarded with goodness, not darkness.

Al-Khaṭīb compared between the transmissions of this *ḥadīth* from Ḥammād and found that there were several versions of it.<sup>84</sup> Al-Khaṭīb went beyond Muslim to report that the above version was related by Abū Dāwūd al-Ṭayālīsī.<sup>85</sup> We find that al-Bukhārī recorded the same *ḥadīth* and ended it at the mention of the prayer of the Prophet before the grave.<sup>86</sup> Hence, the above question does not arise when reading al-Bukhārī. Did al-Bukhārī eliminate the problematic *ma'nā* of the *ḥadīth*? Al-Khatib did not mention al-Bukhārī or Muslim in his exposition. He provided a

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<sup>82</sup> *al-Muḥaddith al-Fāṣil*, 238.

<sup>83</sup> Muslim, *al-Musnad al-Ṣaḥīḥ* (Beirut: Dār Iḥyā' al-Kutub, 1991), 2:659(956).

<sup>84</sup> *al-Waṣl al-Mudraj*, 2:634.

<sup>85</sup> al-Ṭayālīsī, *Musnad* (Cairo: Hajar, 1999), 4:194(2568).

<sup>86</sup> al-Bukhārī, *al-Jāmi' al-Ṣaḥīḥ al-Mukhtaṣar* (Dār Ṭawq al-Najāh, 1422/2001), 1:99(458).

number of transmissions showing that some students of Ḥammād related the *ḥadīth* without the part mentioning the darkness of the grave, like al-Bukhārī. To further prove that the interpolation of the narration has occurred in transmissions from Ḥammād, al-Khaṭīb presented the versions of ‘Ārim ibn al-Faḍl, Muḥammad ibn ‘Ubayd and ‘Affān that evidenced the separation between the two events. They stated that after the mention of the Prophet’s prayer, Thābit said that “I was told once that the Prophet used to say” and he mentioned the part related to the darkness. They were therefore; two different occasions and the last part was Thābit’s *mursal* narration that was mistakenly inserted in some versions of the *ḥadīth* as appeared in *Ṣaḥīḥ Muslim*. When commenting on al-Bukhārī’s shorter version of the *ḥadīth*, Ibn Hajar benefited from al-Khaṭīb’s study of this interpolation to laud on al-Bukhārī’s treatment.<sup>87</sup>

#### 6.4 *Takhrīj al-Marwī and Ma’nā Criticism*

Cases similar to the above were tackled by al-Khaṭīb in *al-Mudraǧ* (Interpolated Dicta). The work offers a serious study on the *marwī* (text), yet with a convincing demonstration of *isnād* criticism. It manifests the traditionists’ postulate that any problem in the *matn* of *ḥadīth* can be traced back to an explicit or implicit problem in the *isnād*. Hence, al-Khaṭīb had exhibited that the ability to present *matn* criticism in the form of *isnād* criticism constructs a sign of a true expert in *ḥadīth* and grants a compelling authority to a *ḥāfiẓ*. The concept of *takhrīj al-ma’nā* can be attested to inform the undercurrent of al-Khaṭīb’s work. This was later clarified by Ibn Hajar as he argued that one could not notice the interpolated words, phrases or texts except after an extensive learning of established, speculative and possible meanings.<sup>88</sup> Al-Khaṭīb had himself asserted that *ḥadīth* comes with what can be accepted by minds (*mujawwizāt al-‘uqūl*), not with impossible matters.<sup>89</sup> However, a traditionalist should be aware of the difference between irrationals and

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<sup>87</sup> Ibn Hajar, *Fath al-Bārī Sharḥ Ṣaḥīḥ al-Bukhārī* (Beirut: Dār al-Ma’rifah), 1:553.

<sup>88</sup> Ibn Hajar, *al-Nukat*, 2:811.

<sup>89</sup> *FWM*, 1:354.

transcendental subjects in exercising the *takhrīj* of *ma'nā*.<sup>90</sup> To demonstrate the exercise of *ma'nawī* criticism through the technicalities of *isnād* criticism, al-Khaṭīb presented numerous cases of interpolations between meanings in *ḥadīth* and arranged them in the following groups:

- (1) Interpolations of narrator's words or speech in the *ḥadīth* of the Prophet.
  - i. Interpolations of the words of the Companions.
  - ii. Interpolation of the words of the Followers.
- (2) Interpolations of some words from a report obtained by a narrator in his other report of the same story or account.
  - i. Accounts of those who interpolate a word he did not receive from a tradent in a *ḥadīth* he received directly from that tradent.
  - ii. Accounts of those who combine unchained words (*mursal*) with elevated *ḥadīth* (*marfū'*) in a single account.
- (3) Cases of mixing between different *ḥadīths* in one single account.
- (4) Cases where a Companion received from a narrating Companion, then a separate *ḥadīth* associated with the receiving Companion was interpolated in his current account from the narrating Companion.
- (5) Cases where a group of narrators related conflicting accounts but their accounts were harmonised together in one single account.

In theory, the meticulous recognition of *idrāj* serves as an indicator of the mastery of *takhrīj* since *idrāj* constructs semantically the opposite of *ikhrāj* (extrication). Al-Khaṭīb launched a powerful weapon against the accusation of heedless stuffing of *riwāyah* connoted by the epithet of *hashawī* through the expounding of hundreds of cases where *idrāj* is heedfully perceived and the original idea (*ma'nā*) of an account can be demonstratively extricated. He demonstrated that through the *idrāj-ikhrāj* mechanism, not only a fabricated *ḥadīth* can be detected, even a single foreign word, if not a letter, can be removed from the original account. Moreover, a mixture of wordings from different tradents in one single story can be revised and returned back to their relative original states. For this reason, we find al-Khaṭīb forthrightly included the cognition of interpolations amongst the conditions of *ḥuffāz*-ship.<sup>91</sup>

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<sup>90</sup> See Chapter Three.

<sup>91</sup> See condition 9 in Chapter Four.

## 6.5 Why Ma'nā Criticism?

Before further examining this idea in al-Khaṭīb's writings, first it is crucial to expound al-Khaṭīb's understanding of criticism. Since the idea of *khavar* bears the possibility of both being affirmed or denied, criticism serves as sometimes dismissive and limitative, and the other constructive and affirmative. This is proven from al-Khaṭīb's argument against those who view that individual reports should be conclusively evaluated as fraud whenever there is no information on its authenticity either through necessary knowledge or indication (*istidlāl*). This view argues that if God knows the authenticity of a report, He will surely provide an indication of its authenticity. Whenever there is an absence of indication for a report, we must affirm conclusively that the report is fraud. Al-Khaṭīb replied to this argument saying that the same is applied whenever there is no affirming indication that the *khavar* is fraudulent. One shall not reject *ḥadīth* and follow his prejudice in neglecting the *ḥadīth*. Here, one of the most crucial points in understanding the traditionalists' argument for *ḥadīth*, when they stated that it is *ẓānnī*, is underpinned by al-Khaṭīb. Contrary to the perception that the probability of *ḥadīth* indicates a lesser epistemological effect, a *ḥadīth* based on this debate cannot be totally rejected without any sufficient indication.<sup>92</sup> The implication of this debate is undeniably forcing an inspection of a *ḥadīth* from all dimensions and whenever one fails to do so, a submission to the authority of *ḥuffāz* is inevitable. Moreover, al-Khaṭīb forced his opponent into another consequence of his argument. He maintained that if it is warranted, we must affirm the infidelity or despotism of leaders, judges, governors, officers and many others whenever there is no proof for their belief and honest devotion in their hearts. According to al-Khaṭīb, there is no way to prove that. Ultimately, for al-Khaṭīb, we have never been asked by God to affirm the final authenticity of *ḥadīth*. We were only asked to act upon a report when its potential veracity is present, similar to our acceptance of human testimony in court.<sup>93</sup>

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<sup>92</sup> Recall al-Bāqillānī's definition of *āḥād* in the previous chapter.

<sup>93</sup> *al-Kifāyah*, 1:111.



Criticism then is an effort to potentiate a *ḥadīth* and this is one of the meanings implied by the term *takhrīj*.<sup>94</sup> Whenever a traditionalist such as al-Khaṭīb mentioned that a *ḥadīth* “*akhrāju*” so-and-so from amongst the *ḥuffāz*, it does not simply mean that the *ḥadīth* or narration was recorded by so-and-so, rather it indicates that the *ḥadīth* was potentiated by the fact that a *ḥāfiẓ* has extricated it from amongst hundreds of thousands of reports.<sup>95</sup> It is left for the student then to recognise the *ḥuffāz*.

Having clarified the above, *takhrīj al-riwāyah* in the writings of al-Khaṭīb can be connected to the tracing of *ma'nā* for several reasons: (1) his conception of *Sunnah*, (2) the flexibility and ambiguity of *ma'nā*, (3) solving the problem of wording conflict, and (4) the *ma'nawī* paradigm serves as a pragmatic tool in *ḥadīth*, jurisprudence, legal theory and theology.

## 6.6 Ma'ānī-based Sunan

Al-Khaṭīb's writings illustrate a significant distinction between *rasm al-ḥadīth* (the script of *ḥadīth*) and its *muqtaḍā* (imperative), or more precisely *ma'nā* (spirit). He exhibited a fascinating way of delivering the concept of *Sunnah* to both the jurists and the tradents. When he wrote to the jurists, he presented the definition of *Sunnah* that emphasises the generality of *rusūm* (outward forms or scripts) regardless of its degrees of legal force between obligatory or supererogatory. According to him, the *Sunnah* is what has been prescribed to be emulated (*mā rusima li-yuḥtadha*).<sup>96</sup> These *rusūm* may refer to what he elaborated in *al-Kifayāh* as he stated that the traditionists ‘codified (*dawwana*) the Prophet's explicit statements and deeds. They reported, despite various circumstances, everything concerning him including his states of awaken or asleep; his standing or sitting; his clothes and rides; his foods and drinks. Even what he did with his fingernail, how he spitted out

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<sup>94</sup> Ibn Fāris mentioned amongst the meaning of the radical *khā'-rā'-jīm* is an extrication and distinction between two kinds. *Mu'jam Maqāyīs al-Lughah* (Dār al-Fikr, 1979), 2:176.

<sup>95</sup> TMS, 5:450 (Muslim's use of *akhrāju*), 7:545 (Bishr al-Ḥāfi's use of *akharāju* and its relation to the soundness of *ḥadīth*).

<sup>96</sup> FWM, 1:257.

phlegm from his mouth, and what he spoke when he did something or during a certain incident, all have been scribed.<sup>97</sup> We find that al-Khaṭīb's illustration of traditionist's perception on this idea of *Sunnah* was inspired by al-Rāmhurmuzī and part of the passage was copied verbatim from his book.<sup>98</sup> This emphasis on *rusūm* thus represents the *ḥadīth*-dependent conception of *Sunnah*.<sup>99</sup> For the fact that the jurists have always used the term *Sunnah* with supererogatory acts, al-Khaṭīb advised them to alter the definition into what has been prescribed to be emulated supererogatively. This advice was previously stated by Abū Ya'lā and before him the Ḥanbalī Ibn Shihāb al-'Ukbarī (428/1037).<sup>100</sup> For Ibn Shihāb, *Sunnah* and *Sharī'ah* are synonymous. However, the definition was mentioned earlier by Ibn Fūrak and echoed later by al-Khaṭīb's student the Ash'arī-Mālikī Abū al-Walīd al-Bājī (474/1082).<sup>101</sup> Al-Bājī stated that for *ahl al-ḥadīth*, *sunan* are what the Prophet prescribed (*rasama*) for the whole Muslim community.

When al-Khaṭīb wrote to the traditionists, he criticised those who neglect the study of both parts: *rāwī* and *marwī*, and ignored *istinbāṭ al-ma'ānī* (insightful conclusion based on the meaning). They focused mainly on *rusūm*. According to al-Khaṭīb, they are deluded and they had been *ḥamalat asfār* (book-carrying donkeys).<sup>102</sup> From this perspective, al-Khaṭīb was advocating al-Shāfi'ī's *istinbāṭ*-based *Sunnah*.<sup>103</sup> Therefore, he preceded *al-Kifāyah* with two chapters that reiterate al-Shāfi'ī's hermeneutical scheme and the main gist of the concept of *bayān*. Furthermore, when the rationalists and the traditionalists alike contested al-

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<sup>97</sup> *al-Kifāyah*, 1:86.

<sup>98</sup> From *ḥatta al-qalāmah* until *ittaba'ūhum bi-iḥsān*. Cf. *al-Muḥaddith al-Fāṣil*, 159-160.

<sup>99</sup> For modern proposal on the distinction between *ḥadīth*-dependent *Sunnah* and other form of *Sunnah*, see: Adis Duderija, "A Paradigm Shift in Assessing/Evaluating the Value and Significance of Ḥadīth in Islamic Thought: From 'ulumu-l-isnād/rijāl to 'usūlu-l-fiqh," *Arab Law Quarterly* 23 (2009): 195-206. Duderija should have consulted al-Khaṭīb before addressing the proposal as a paradigm shift.

<sup>100</sup> Ibn Shihāb al-'Ukbarī, *Risālah fī Uṣūl al-Fiqh* (Kuwait: Maktab al-Shu'ūn al-Fanniyyah, 2010), 13, Abū Ya'lā, *al-'Uddah*, 1:166.

<sup>101</sup> Ibn Fūrak, *al-Ḥudūd fī al-Uṣūl*, 149, al-Bājī, *al-Ḥudūd fī al-Uṣūl* (Beirut: Dār al-Kutub al-'Ilmiyyah, 2003), 113-114. Much of the content was learned from al-Bāqillānī.

<sup>102</sup> *al-Kifāyah*, 1:83.

<sup>103</sup> Compare *Sunnah*-based *istinbāṭ* in the previous chapter and *istinbāṭ*-based *Sunnah* in this chapter.

Shāfiʿī's authority and profundity in the ḥadīth script, al-Khaṭīb responded by noting his ability to grasp the *wujūh* (aspects of meaning) in the Qurʾān and *al-sunan al-manqūlah* (transmitted imperatives of ḥadīth scripts). He extolled al-Shāfiʿī's ability to derive and evidence *maʿāni al-sunan* (the spirits of Prophetic imperatives) through the language of *dalāʾil* (indicants) and *burhān* (rational inference), and al-Shāfiʿī's important contribution in leading the traditionalists into the understanding of these spirits (*tawqīfihim and tanbīhihim ʿalayhā*).<sup>104</sup>

Having incorporated these elements in his writings, al-Khaṭīb delivers an impression that the *Sunan* of the Prophet are essentially the imperatives carried within the corpus of traditions. He did provide a discussion on the genesis of these spirits in relation to the revelation from God. Eight views were laid out on this which are: (1) the *Sunnah* of the Prophet is essentially the spirit revealed by God, (2) God permits the Prophet to invent a *Sunnah* based on what he perceives as *maṣlaḥah* (best interest), (3) Everything in the *Sunnah* was inspired in the innermost heart of the Prophet, (4) Every *Sunnah* either has a basis in, or serves as a *bayān* for the Qurʾān (5) The establishment of extra-Qurʾān *Sunnah* is based on the Divine Command to obey the Prophet and its predestined agreement to the Divine Will, (6) Every *Sunnah* has a basis in the Qurʾān, (7) The message of God comes to the Prophet every time he wants to inform a *Sunnah*, and (8) The *Sunnah* is the wisdom that was inspired in the innermost heart of the Prophet.<sup>105</sup> Although these views may possibly induce a debate on the primordial nature of Prophetic imperatives when they are related with God's knowledge, these views do not immediately show whether the *Sunnah*, particularly the explicit statements (*al-sunan al-qawliyyah*) of the Prophet were inspired verbatim by God or otherwise. Al-Khaṭīb did not leave behind a discussion on *ḥadīth qudsī* (Divine words outside the Qurʾān) to enable a thorough comparison. However, al-Khaṭīb provided the conclusion that whatever is held on the genesis of *Sunnah*, the transmitted traditions carried the imperatives of the Prophet (*amr al-Rasūl*) that should be regarded with deference. As he associated

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<sup>104</sup> *al-Iḥtijāj bi'l-Shāfiʿī*, 38-39.

<sup>105</sup> *FWM*, 1:266-173.

the recognition of these meanings or imperatives with the *fuqahā'*, al-Khaṭīb seems to agree with *istinbāṭ*-based *Sunnah*.

In summary, al-Khaṭīb's brief exposition on this subject does not completely solve the tension between *ḥadīth*-dependent *Sunnah* that emphasises the *rusūm* and *fiqh*-dependent *Sunnah* that emphasises the *ma'ānī*, despite that his recognition of *fiqh* as the highest science alludes to the *ma'ānī*.<sup>106</sup>

## 6.7 The Nature of *Sunnah*'s Transmission

A significant debate has arisen with regard to the nature of the transmission of the above imperatives. It has been accepted by the traditionalists that the main repository for these imperatives is *ḥadīth* corpora. In his article on the language of *ḥadīth*, Mustafa Shah explores al-Khaṭīb's exposition of *riwāyah bi'l-ma'nā* (transmission of meaning rather than script) and observes its connection with the grammarians' attitudes towards *ḥadīth* scripts.<sup>107</sup> More than one century after al-Khaṭīb, two Andalusian scholars, Ibn al-Ḍā'ī' (680/1281) and Abū Ḥayyān al-Gharnāṭī (786/1384) argued that *ḥadīths* had not been transmitted as they were originally heard from the Prophet, but rather they were diffused only in the general sense and spirit of their meaning. This argument has its root in the grammarian debate on whether *ḥadīth* script makes a legitimate source for the study of Arabic grammar. As Shah has accentuated, the details of this grammar-related debate could be learned from *Khizānat al-Adab* of 'Abd al-Qādir ibn 'Umar al-Baghdādī (1093/1682).<sup>108</sup>

Shah has successfully illustrated that al-Khaṭīb was aware of early philological debates that relate to the nature of *Sunnah*'s transmission; verbatim or being paraphrased. Al-Khaṭīb had made use of the opinions of philologists such as

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<sup>106</sup> In al-Khaṭīb's poem: The scholar of our time has no good in him, you see forms without meanings. (wa 'ālim dahrinā lā khayra fīhi, tarā ṣuwaran tarūq bi-lā ma'ānī).

<sup>107</sup> Mustafa Shah, "Ḥadīṭ, Language of", in: Encyclopaedia of Arabic Language and Linguistics, Eds. Online Edition: Lutz Edzard, Rudolf de Jong. Consulted online on 15 August 2016, <[http://dx.doi.org/10.1163/1570-6699\\_eall\\_EALL\\_SIM\\_000003](http://dx.doi.org/10.1163/1570-6699_eall_EALL_SIM_000003)>

<sup>108</sup> 'Abd al-Qādir al-Baghdādī, *Khizānat al-Adab wa-Lubb Lubāb Lisān al-'Arab* (Cairo: Maktabah al-Khānījī, 1997), 1:9.

al-Khalīl ibn 'Aḥmad (175/791), al-'Aṣma'ī (213/828), al-Naḍr ibn Shumayl (203/819) and 'Abū 'Ubayd al-Qāsim (224/838), and reported their divergent views. However, conflicting approaches has also been observed amongst the traditionists. Al-Khaṭīb then infused in his *al-Kifāyah* the approaches from various groups to illustrate to the traditionists the historical occurrences of this practice.<sup>109</sup>

In his presentation, al-Khaṭīb analysed meticulously the approaches of previous luminaries. He preceded it with mentioning the view that a complete *ḥadīth* should be transmitted verbatim and that paraphrasing is completely forbidden. Then, he moved into transmissions of words where he treated two tactics of the traditionists: (1) using synonyms, and (2) switching the order of words. Next, he presented approaches pertaining to alterations of letters such as addition, deletion, replacement, inversion, lessening the doubling sound, or changing the grammatical case of a letter. Al-Khaṭīb furthered in the next phase to the maintaining of peculiarities where he featured those who kept the verbatim even if it contravenes the elevated diction (*al-lughah al-faṣīḥah*) and those who retained solecisms as they are during delivery. After all these subsections that relate to the *ḥadīth* script, al-Khaṭīb recounted the view that differentiates between *ḥadīth* and other accounts where only the former should be transmitted verbatim. Al-Khaṭīb then integrated debates on three techniques of the traditionists into this subject: (1) on the approval for narrating incomplete *ḥadīth* not for adding phrases, (2) on the segmentation of a long *ḥadīth* to accommodate subject division, and (3) on the rectification of solecism in *ḥadīth*. In these three sections, al-Khaṭīb produces his view very clearly that they depend on the intended meaning of an account. If the intended meaning is retained, one may abbreviate and segregate any *ḥadīth* script. As for solecism, it should be emended if it alters the intended import of the *ḥadīth*.

All the historical anecdotes and early approaches al-Khaṭīb mentioned in this chapter is to prepare the application of *takhrīj* that shall be accompanied with careful attention towards the *ma'nā* or the *marwī*. The permutations of script should not lessen the potential of *ma'nā* whenever the history of the transmission of *Sunnah*

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<sup>109</sup> *al-Kifāyah*, 1:391-433.

is intricately learned. The proof for this observation is that already before a century, al-Rāmhurmuzī had discussed the same subject, albeit more briefly.<sup>110</sup> If al-Rāmhurmuzī placed the discussion on paraphrasing under the section on emending solecism, al-Khaṭīb placed this discussion inside the chapter on transmitting the *Sunnah*. It is not only then a subject of reading the script of *ḥadīth*, but the transmission of meanings from the Prophet. Al-Khaṭīb had reminded the reader at the beginning of the chapter that a scholar who conveys a *Sunnah* is acting as an intermediary between God and His servants.<sup>111</sup> There is an espousal of a spiritual space that joins the two sides, which demands a careful observation of one's own preparation to enter its realm.

Finally, al-Khaṭīb's argument for the permissibility of transmitting the *ma'nā* of the *Sunnah* was based essentially on the convention of the "majority of meaning-experts" that only scholars acquainted with the profundities of the meanings of *Sunnah* could exercise this license. Then, al-Khaṭīb argued from the perspective of the universality of Muḥammadan's imperatives, not scripts, where scholars have agreed that the *Sunnah* can be translated and disseminated in other languages. The third argument comes in the form of an answer to a question concerning verbal prayers that should be recited in verbatim such as *adhān* and *tashahhud*. Al-Khaṭīb responded that these words were sanctioned by *tawqīf*, i.e. Divine assignation. There is no indication that other *Sunnah* should follow the same.<sup>112</sup>

The final proof that characterises the nature of the *Sunnah*'s transmission is attested from the application of *takhrīj*. Al-Khaṭīb had attempted to potentiate the script of the *naḍrah* tradition in his dedicated work on it. This is mentioned at the end of the chapter. The result of this *takhrīj* was numerous potential wordings. According to him, sometimes it says *rubba muballigh*, and the other it is *rubba ḥāmīl*. Sometimes it reads *maqālatī*, and the other it is *ḥadīthan*. Al-Khaṭīb concluded that it evidently shows the transmission of the meaning of the *khavar*, rather than the

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<sup>110</sup> *al-Qawl fī Taqwīm al-Laḥn* in: *al-Muḥaddith al-Fāṣil*, 524.

<sup>111</sup> *al-Kifāyah*, 1:388.

<sup>112</sup> *Ibid*, 1:434-438.

exact script. Furthermore, the mention of *addāhā kamā sami'ahā* (he conveyed it the way he heard it) in the *khavar* was required from the tradent, not the wise (*faqīh*) or wiser.<sup>113</sup> It is another part where we encounter the possibility of two modes of *Sunnah* implicitly incorporated in the works of al-Khaṭīb: *ḥadīth*-dependent *Sunnah* and meaning-dependent *Sunnah*.

## 6.8 *Takhrīj* as the Potentiation of *Ma'nā*

Another precedent that should be considered with regards to understanding the script-*ma'nā* dynamics in *takhrīj* is the problem of defining *ma'nā*. In *Tārīkh Baghdād*, al-Khaṭīb reported the following account:

The judge Abū Bakr, Aḥmad ibn Kāmil narrated: One day I visited the judge Abū Umayya and he said to me: What is the *ma'nā* of this *ḥadīth*? I asked: Which *ḥadīth*? He said: The saying of Abū Mūsā "Whenever we ascended with the Messenger of God *qīdada* (separately), we say *takbīr*." I said to him: Perhaps you mean the *ḥadīth* reported by Sulaymān al-Taymī, from Abū 'Uthmān al-Nahdī, from Abū Mūsā al-Ash'arī, he said: "Whenever we ascended with the Messenger of God *fādfada* (at the desert), we say *takbīr*." In the session, the judge al-Jubayrī was present. He commented that the Qur'ān uses *ṭarā'iq qīdada*. I said to him: Be silent! And he kept silent.

I visited him (Abū Umayya) another day and he asked: What is the *ma'nā* of the *ḥadīth*, which says that the Prophet asked menstruated woman to use *qarṣah* (pinch) on the trace of the blood? I said to him: It is not *qarṣah* but it is *firṣah*. A *firṣah* is a fold or piece of covering cloth. *Ḥadīth*-experts say *firṣah* and the right word is *firṣah*. Yet, he abandoned my statement and dictated to people *firṣah* or *qarṣah*.<sup>114</sup>

These two incidents reflect how the *ma'nā* of *ḥadīth* was interpreted as the right script of the *ḥadīth*. However, we have also learned from al-Khaṭīb that *ma'nā* requires *istinbāṭ*. It is not surprising then to find that *ma'nā* is the most pragmatic tool used by scholars to propagate a certain interpretation for the ambiguities associated with this concept. In his study on the semantic theory of the Arabic tradition, Kees Versteegh has enumerated sixteen connotations of the word *ma'nā*

<sup>113</sup> Ibid, 1:438.

<sup>114</sup> TMS, 7:521.

observed from various Islamic disciplines.<sup>115</sup> The earliest written materials that connect *ma'nā* with sources of religious meanings belong to the genre of *ma'ānī al-Qur'ān*. It was within this genre that the first writing on the dichotomy of *majāz/ḥaqīqah* was introduced. Nevertheless, it is beyond the scope of this study to trace every possible meaning of *ma'nā* and locate its application within the intellectual milieu of Baghdād. Two important issues, however, are worth mentioning here for their appearance in the works of al-Khaṭīb. The first concerns the general understanding of the terminology of *lafẓ* and *ma'nā*, and the second treats *ma'nā* between the realised normative (*ḥaqīqah*) and the permissive (*majāz*) usage.

As for the first, Versteegh points out Ibn Fāris (395/1004), al-Rummānī (384/994) and Abū Hilāl al-ʿAskarī's (684/1285) view that *ma'nā* is related to *maqṣūd* (the intention of the speaker). Then, he cited the attribution to Tha'lab (291/904) that takes meaning and explanation and interpretation as amounting to the same idea (*al-ma'nā wa'l-tafsīr wa'l-ta'wīl wāḥid*). These represent two different approaches to the semantic component of speech.<sup>116</sup> In relation to this, Versteegh presents Kouloughli's analysis that concludes two approaches amongst classical Arab linguists in defining *ma'nā*. The first sees *ma'nā* as *maqṣūd* of the speaker and the second believes in independent form/meaning dichotomy in the sense of the modern distinction between "significant/signifié." In other words, there is a static entity representing the reverse side of a phonetic expression (*lafẓ*). According to him, this second view did not develop until the writings of al-Jurjānī (5<sup>th</sup>/11<sup>th</sup> century).<sup>117</sup> Al-Khaṭīb did not discuss *lafẓ* and *ma'nā* in the same breadth of this linguistic theorisation. However, when clarifying how a change of phonetic expressions does not necessarily affect the *ma'nā*, al-Khaṭīb used the term *al-ma'nā al-maqṣūd min al-lafẓ* (the meaning intended by the expression). He argues that if one conveys a statement of a certain person by using a different expression that preserves *al-ma'nā*

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<sup>115</sup> Kees Versteegh, "The Arabic Tradition," in *The Emergence of Semantics in Four Linguistic Traditions: Hebrew, Sanskrit, Greek, Arabic*, eds. Wout van Bekkum et al (Amsterdam: John Benjamins Pub., 1997), 230-231.

<sup>116</sup> Ibid, 228-229.

<sup>117</sup> Djamel Eddine Koloughli, "À propos de lafẓ et ma'nā," *Bulletin d'Etudes Orientales* 35 (1983): 43-63.



*al-maqṣūd*, it is not a deception (*kadhb*) or alteration (*tahrīf*). According to al-Khaṭīb, God does the same when He repeats stories and dialogues in the Qurʾān with diverse expressions, yet they convey the same meaning. Moreover, the Qurʾān translates dialogue of the past nations into Arabic that necessarily involves various linguistic permutations.<sup>118</sup> Al-Khaṭīb did not inform us how the *maqṣūd* of a speaker and the *ẓāhir* of his speech can work together in determining the imperative of a *ḥadīth*.

A related case might clarify the importance of this relation. Ibn al-Jawzī rebuked al-Khaṭīb for his interpretation of Ṭāriq ibn Ashyam’s account of *Sunnah*. Ṭāriq related that he had prayed behind Abū Bakr, ‘Umar, ‘Uthmān and ‘Alī and none of them in their time “*yaqnut*.” Ṭāriq said to his son, ‘This (*qunūt*) is *bid‘ah* (heresy).’ According to Ibn al-Jawzī, al-Khaṭīb takes this expression (*qanata*) to refer to a specific prayer people invented in the time of Ṭāriq’s son, not the *qunūt* in the obligatory dawn prayer that the Shāfi‘īs hold as *Sunnah*. Hence, the quality of innovation is directed to that invention. According to Ibn al-Jawzī, the obvious meaning of the statement does not warrant al-Khaṭīb this understanding.<sup>119</sup> We do not have a clear indication for al-Khaṭīb’s method in this interpretation. It can only be assumed that a set of indicants has established the Shāfi‘īs’ *qunūt* as *Sunnah* in al-Khaṭīb’s collection that his identification of meaning is modulated based on this set of indicants.

The second issue with regard to *ma’nā* centres on *majāz* which al-Khaṭīb defines as every word that is used for a meaning other than that for which it was assigned in original coinage (*al-waḍ’*). According to al-Khaṭīb, when the Prophet conversely called a horse an ocean, he was applying *majāz* where the qualities of energised motion and grandeur were intended. *Majāz* features as well in the Qurʾān and al-Khaṭīb refuted those who reject this substantive, particularly the Ẓāhirīs. To illustrate that their view was uncherished, al-Khaṭīb recounted that it was only said that Abū Bakr the son of Dāwūd al-Ẓāhirī subscribed to the rejection. An expression, however, should not be treated under the mode of *majāz* except when signified by

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<sup>118</sup> *al-Kifāyah*, 1:437.

<sup>119</sup> Ibn al-Jawzī, *al-Taḥqīq*, 1:459.

an indicant.<sup>120</sup> Despite his definition of *majāz* that literally embodies the idea of transference of assigned meaning, al-Khaṭīb's elaboration of the concept portrays *majāz* as the permissive modes of expression that coincides with other scholars' articulation such as studied by Ella Almagor.<sup>121</sup> Al-Khaṭīb mentioned explicitly Abū 'Ubaydah's archetypal work for reference.<sup>122</sup> It is worth noting too that *majāz* had also been regarded as the equivalent of *ma'nā*.

What we may conclude from the above is that *ma'nā* is usually potentiated by an interference of other indicant whenever potential challenges involved. When a *ma'nā* is perceived, a set of other indicants will be marshalled together to affirm its determination. This is where *ḥadīth*-dependent *Sunnah* and *ma'nā*-dependent *Sunnah* conflate in the writings of al-Khaṭīb. *Takhrīj* is applied to bring as many possible *ḥadīths* as one can to potentiate a *ma'nā*. This can be observed in all chapters of al-Khaṭīb's works and all topic-based collections of *ḥadīth* where corroboratively safe *isnāds* potentiate a *ḥadīth* and corroborative narrations potentiate a meaning. The concept is then exploited to high-potentiate a meaning-dependent *Sunnah* as will be shown in the next section.

## 6.9 The Epistemology of Potential *Khabar* and *Ma'nā*

Since *ma'nā* is sourced from the scripts of *ḥadīth* (*khabar*) and the available statements pertaining to religion (*akhbār*), the present study colligates al-Khaṭīb's classification of statements in *al-Kifayah*, his classification of *Sunnah* in *Kitāb al-Faqīh*, and his scattered elucidations on statements throughout his works, to configure al-Khaṭīb's epistemology of *khabar* and *ma'nā*. The result is enlisted as follows:

### A. The sphere of *ḍarūrī*

In this group, al-Khaṭīb places the knowledge of the whole community (*ijmā' al-ummah*), statements of facts (*tawātur*), and rational principles, e.g. the temporal origin of bodies, the existence of a maker for a made

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<sup>120</sup> FWM, 1:213-217.

<sup>121</sup> Ella Almagor, "The early meaning of Majāz and the nature of Abu 'Ubayda's exegesis," in *The Qur'an: Formative Interpretation*, ed. A. Rippin (Aldershot: Ashgate, 1999), 263-282.

<sup>122</sup> Mustafa Shah, "The Philological Endeavours ..." (cited earlier).

thing, and the availability of signs for a messenger. They yield certainty/necessary truth/incontrovertible knowledge.

- B. The sphere of *istidlāl* (speculatively acquired knowledge).
  - i. *Khabar al-āḥād* that yields *istidlālī* (acquired) knowledge, and terminal in the recognition of its veracity (*maqṭūʿ bi-ṣidqihī*):
    - 1. Statement of God.
    - 2. Statement of the Messenger.
    - 3. Statement of one person in front of the Messenger with the absence of disapproval.
    - 4. Statement of a person in the presence of a group with the absence of disapproval.
  - ii. Statement of “many” that yields *istidlālī* knowledge:
    - 1. The concurrent affirmation of scholars, e.g. sexual intercourse nullifies pilgrimage, sexual intercourse nullifies fasting, the burden of proof is on the plaintiff and the defendant’s acquittal is attained by oath, prohibition of marrying a woman and her paternal or maternal aunt at the same time, no bequest for an heir, etc.<sup>123</sup> In theory, concurrent affirmation of scholars represents the *qiyās* of many, which may explain al-Khaṭīb’s statement when he said that *qiyās* in principle yields knowledge.
  - iii. Potentiated *ma’nā* that yields *istidlālī* knowledge:
    - 1. When it is evidenced by *tawātur ma’nawī*, e.g. the existence of sensory miracles of the Prophet, and the authority of *ijmāʿ*.
    - 2. When it was adopted by a generation of scholars and transmitted to another generation with acceptance (often reported in a dictum with unreliable *isnād*), e.g. no bequest for an heir, the seawater is purifying and its deads are lawful, the burden of compensation (*diyah*) is on the tribe (*ʿāqilah*).<sup>124</sup>
  - iv. Individual report yields high potential of truth (sometimes called “knowledge” based on a certain epistemological construct):
    - 1. When its imperative is effectuated by *Sunnah mutawātirah* (*tawātur ḍarūrī* or *tawātur ma’nawī*), e.g. the dictum “My community will not agree on error.”
    - 2. When Muslim Community agrees on its validity.

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<sup>123</sup> Some of these imperatives have been reported as *ḥadīth* as well.

<sup>124</sup> These scripts have been reported as *ḥadīth* in many works, but their *isnāds* according to al-Khaṭīb are not safely reliable.

3. When its imperative is received with acceptance and practiced by Muslim Community or some of them.
  4. When it is evaluated as *thābit* (affirmed) after speculation/indication, or elevated after potentiation.
  - v. Derived meaning (*qiyās*) by *āḥād* (individuals) yields high potentiality.
- C. An individual dictum that yields potentiality and not knowledge.  
All *ḥadīths* in disputed laws amongst the jurists: final answer should be suspended. When they are evaluated to be safely reliable, they are elevated to (iv.4).
- D. On the opposite, a statement can be decisively recognised as absurd when:
1. Its imperative contradicts a rational mind, e.g. the eternity of bodies.
  2. Its imperative contradicts a clear-cut text in the Qur'ān.
  3. Its imperative contradicts historical facts concerning the Prophet or *tawātur ma'nawī*.
  4. Its imperative compels a vital religious obligation yet there is no way to inspect or infer its reliability, e.g. the source is completely unknown.
  5. It tells an extremely historic event with participation of the whole community, yet isolated individuals carried its narration.<sup>125</sup>

Some important observations can be deduced from the above schema. First, the whole schema seems to be an implementation of al-Bāqillānī's division which al-Khaṭīb cited in *al-Kifāyah*. al-Bāqillānī underscored, 'Statements are of two types: the first type is when it is known (*ilm*) that the Prophet had spoken about it, either by necessity (*ḍarūrī*) or through speculation (*istidlālī*); the second is when there is no way to know whether he had pronounced them or not.'<sup>126</sup> Although al-Bāqillānī speaks of two types, his expression carries three classes: *ḍarūrī*, *istidlālī* and the non-determinable. The groups A, B, and C above correspond precisely to these classes. When al-Bāqillānī underlined that 'A single person may deliver a statement yet the message is known epistemically true (*yu'lam ṣidquhu qaṭ'ān*) like the statement of the

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<sup>125</sup> *al-Kifāyah*, 1:108, FWM, 1:354.

<sup>126</sup> *al-Kifāyah*. 2:260.

Prophet ... it is the *maʿānī* that should be considered, not the expressions (*al-ʿibārāt*),’ al-Khaṭīb expanded this point as in group (B.i).<sup>127</sup> Terminological variations emerged as al-Khaṭīb named them as *khavar al-āḥād*, while al-Bāqillānī did not do the same.

Group (ii) and (iii) are essentially similar except that (ii) is usually referenced as *ijmāʿ ahl al-ijtihād*. All types between group (iv) and (C) are qualified with *khavar* that obligates actions, but does not yield knowledge. *Ḥadīth* scripts may feature in the group (ii), (iii.1), and (iii.2). Scripts are certainly present in the group (iv) and (C). Meanings of the script are of highest import. For this reason, *ḥadīth* in general is attributed with conflicting qualifications such as indicating *al-Sunnah al-mutawātirah*, yielding only *ghalabat al-ẓann*, does not yield knowledge, *ḥadīth* yields knowledge, *ḥadīth* is *Sunnah* and *ḥadīth* is knowledge.

In al-Khaṭīb’s writings, the interaction between *khavar* and *qiyās* is reflected in the relation between (iv.4) and (v). A sound *khavar* is preferred over *qiyās*. However, rational inference (also called *qiyās*) may approve or disprove a *khavar*, as in (D.1).

Al-Khaṭīb did not produce an example for (iv.2) and (iv.3). Through the use of this mechanism, namely *khavar* agreed by *ijmāʿ* or *al-talaqqī biʾl-qabūl*, *Ṣaḥīḥayn* have been advanced to secure what Brown calls a middle tier: one that yielded an epistemological certainty below the almost unattainable confidence conveyed by unimpeachable mass-transmission (*tawātur*) but above the mere probability (*ẓann*) yielded by *āḥād ḥadīths*.<sup>128</sup> Scholars who participated in the canonisation of *Ṣaḥīḥayn* have pursued the attachment of *Ṣaḥīḥayn* with these conceptual and even linguistic notions.

However, seemingly convincing is that al-Khaṭīb include this postulate to accommodate the juridical exercises that emphasise establishment of meanings. Subsequent to the appropriation of the concept of *Sunnah mutawātirah* and the appearance of themes related to *maʿnā* in his writings, he provided the jurists with

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<sup>127</sup> al-Juwaynī, *al-Talkhīṣ*, 2:326.

<sup>128</sup> Brown, *Canonization*, 184.

an argumentative tool, invited the traditionalists into learning it and provided them with a mechanism to potentiate certain weak dictum. This exemplifies in the concept of *tawātur maʿnawī*.

#### 6.10 The Role of *Takhrīj* in *Tawātur Maʿnawī*

Al-Khaṭīb included in his *Kitāb al-Faqīh* the concept of *tawātur min ṭarīq al-maʿnā* that entails a necessarily original imperative. In *al-Kifāyah* he just used the general term *al-Sunnah al-mutawātirah* (necessarily original *Sunnah*) that epistemically secures a higher level than individual dictum. This concept has been adopted by the Baghdādian Shāfiʿīs likewise appreciated from the same discussion in al-Shīrazī's work.

Al-Khaṭīb depicted this type of *tawātur* as an aggregate of statements conveyed by a number of groups in several unrelated occasions, through which unassociated imperatives were established; yet as a whole they project the same spirit.<sup>129</sup> To inform the traditional jurists how this tool affirms a legal principle, he elucidated how *tawātur maʿnawī* proved that the Companions shared one general spirit: acting upon statement or report of trustworthy individual (*khavar al-wāḥid al-ʿadl*). Then, he addressed the theologians showing that *fiqh* study has proven the sensory miracles of the Prophet through *tawātur maʿnawī*. According to al-Khaṭīb, the *ḥadīths* informed the utterance of praises of God by stones in the hands of the Prophet, the audible cry of the tree trunk before him, the spring of water from between his fingers, the multiplication of scant food, his spitting water into a leather water container causing it to flow abundantly, the conversation with animals, etc., and all these instances pointed in general to the occurrence of sensory miracle. By so doing, al-Khaṭīb illustrated to everyone the importance of *takhrīj* in establishing theological, legal, historical and traditional principles, since they began with the extrication of a cluster of, at least potential, *ḥadīth* scripts.

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<sup>129</sup> Based on this, Hallaq's statement that *tawātur maʿnawī* is an instance where "the transmissions differ from one another in wording, but they all share the same meaning" can be misleading. It does not clearly differentiate between *tawātur maʿnawī* and the instances of *ikhtilāf al-alfāz* (varying expressions) or paraphrasing. See: *Inductive*, 20.

What proves this observation is that al-Khaṭīb demands any discussant on a legal principle to identify whether the principle was derived from a *Sharīʿah* imperative or rational impression. The legal principle of *ijmāʿ* according to him was derived from the belief in an idea of *Sharīʿah*. It was not invented by any speculative or rational inference or observation of nature. Hence, any attempt to prove or discuss the authority of *ijmāʿ* must begin with its cause in the *Sharīʿah*: reports from the past. There is no uncontested way to prove any article of *Sharīʿah* outside the sphere of report. For example, one cannot simply invent a ritual such as punching a bag as an act of worship in Islam. We may recall Ibn al-Qāṣṣ's slogan "he who rejects reports, would in effect, denounce the *Sharīʿah*."

Al-Khaṭīb was aware that the script "My Community will not agree on *ḍalālāh* (a confusion or fusion of truth and false)" is highly contestable. Some traditionalists cling unto it tightly but reject the script attributed to Muʿadh that includes *qiyās* as the legitimate source of legal judgment. Al-Khaṭīb refuted those traditionalists saying that the text of Muʿadh tradition is more widely known and its *isnād* is more potential than the My Community text and *isnād*. How can one accept *ijmāʿ* and rejects *qiyās* based on *ḥadīth* scripts?

Al-Khaṭīb portrayed to us that *ijmāʿ* was not derived from *khavar wāḥid* (one report) but from *khavar al-āḥād* (imperative of individual reports). The conceptual spirit of "*ijmāʿ* of scholars" was derived from a cluster of reports. Al-Khaṭīb then provided a sample for *tawātur maʿnawī* in affirming this spirit.

First, he provided the context for argument where he attributed to al-Naẓẓām and the Rafīḍīs the antithesis of *ijmāʿ*. According to Van Ess, Naẓẓām viewed the *ijmāʿ* of the traditionalists as *ḥadīth*-based and rejected the reliance on the suspicious *ḥadīth*.<sup>130</sup> Whereas al-Khaṭīb illustrated that *ijmāʿ* was spirit-based and the *ḥadīth* was a potential expression of an established spirit of *Sharīʿah*. As for the Rāfiḍīs, al-Khaṭīb indicated that they uphold the *Imām*-based *Sharīʿah*.<sup>131</sup>

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<sup>130</sup> TUG, III:385-386 (*Die Problematik des ijmāʿ*).

<sup>131</sup> FWM, 1:397-424.

Al-Khaṭīb discussed many hypothetical arguments against *ijmāʿ*. The concern of this section is the exposition of *tawātur maʿnawī*. Al-Khaṭīb provided in total thirty one accounts whose general spirit and the gist of meaning can be expressed in ten statements:

- 1- That the uniting community will not agree on confusion.
- 2- That the Hand of God is by the side of the uniting community.
- 3- That the comfort and prosperity of Paradise are gained through loyalty to the uniting community and that Evil befalls the lesser in number particularly the loner.
- 4- That one who dissociates from the uniting community has removed the pledge of Islam from his neck.
- 5- That *ijtihād* is legitimate as long as one remains within the uniting community.
- 6- That division took place within the Israelites and the followers of Muḥammad. All attacking sects are exposed to the Hellfire except those who remain in the uniting community.
- 7- That the three acts which please God are *tawḥīd*, providing good counsel to the rulers and staying within the uniting community.
- 8- That the previous pious judges were advised to maintain agreement in the uniting community.
- 9- That whatever is seen best by the Muslim uniting community would be seen best by God.
- 10- That the previous reminders given by predecessors included the loyalty to the uniting community.

The thirty-one accounts provided by al-Khaṭīb are highly contestable. However, each statement has potential due to *takhrīj*; he provided corroborative strands and narrations for each of them. Hence, the spirit of each statement, namely *al-jamāʿah* (the uniting community), has a great potential in having a basis in *Shariah*. Due to the fact that the aggregate of these statements fits al-Khaṭīb's criteria for *tawātur al-riwāyah*, the spirit (*maʿnā*) informed by this aggregation, which is "agreement of the uniting community" then is necessarily original (a spirit embraced by the Prophet and Companions). It is crucial to remind that al-Khaṭīb's idea of community is restricted to the people of our time, the unborn are not called believers and the deceased are called past believers. *Ijmāʿ* as a principle for legal decision in a certain generation is a perfect example of spirit-based *Sunnah*, which was carried within the *ḥadīth* corpora and extricated and evidenced through the process of *takhrīj*.



## Conclusion

Al-Khaṭīb's writings elaborately demonstrate an awareness of the presence of doubts and problems in the study of *ḥadīth*. It was not simply a theoretical postulate attached to the substantial corpora of Prophetic dicta. *Takhrīj* was the earliest critical concept systemised and applied to address these challenges and other polemical attack such as the mishmash of foreign, secular, and creative imperatives with possible original imperatives. The concept and systematic criticism of *idrāj* was introduced to suppress its antithesis of *hashwu* into mere theoretical assumption. Subsequently, the claim of *ikhrāj* was intimated with careful observation of both *rāwī* and *marwī*, challenging the cogency of distinction between *isnād* criticism and *matn* criticism. Contrary to the entrenched perception that traditionalists ignored the study of meaning in defining sound tradition, al-Khaṭīb as the recognised *ḥāfiẓ* of his time, incorporated numerous themes related to meaning, which may lead to the construction of independent *ma'nawī* criticism outside the conventional *uṣūlī* theorisation. More precisely, the concept of *takhrīj* advocates expert-based criticism. This is supported by the fact that although *ḥadīth* criticism theorists laid out their scientific rules, it is in their *takhrījāt* that their actual craft could be appreciated. Fair assessment of a critic's personal methodology can only be attained through reapplication of *takhrīj* to enable comparison. To rephrase the conclusion judiciously asserted by al-Khaṭīb, the criticism of any *ḥadīth* is not simply based on instructions of *isnād* or *matn* criticism or dictation of the evaluation of the past critics - it is an inspiration in the innermost heart of a long-standing expert.

# **Chapter Seven:**

## **Perceptions, Responses and Receptions**

## 7.1 Setting the Context

Upon the establishment of Nizāmiyyah College in Baghdād, al-Khaṭīb's friend and *ḥadīth* student, Abū Ishāq al-Shīrāzī, was appointed as its chief professor by the vizier Nizām al-Mulk (assassinated in 485/1092). Similar to al-Khaṭīb, al-Shīrāzī was a good friend of the Ḥanbalīs and the Shāfi'īs, as well as the Ash'arīs, who infiltrated the circles of the latter.<sup>1</sup> The curriculum at the college embraced an inclusive approach during his headship. Six years after al-Khaṭīb, the city witnessed several frictions between the Ḥanbalīs and the Shāfi'īs. The course of Shawwāl 469 AH/April 1077 CE recorded the celebration of a Jew's conversion to Islam before Ibn al-Qushayrī who came to Baghdād not more than a year before. Ibn al-Qushayrī (514/1120) was the fourth son of the Ash'arī Ṣūfī 'Abd al-Karīm al-Qushayrī and he studied under Abū'l-Ma'ālī al-Juwaynī in Nishapur. The cause of Shāfi'ism against Ḥanafism in Nishapur was imported to Baghdād where as a Shāfi'ī, he associated the Ḥanbalīs with extreme anthropomorphism (*tajsīm*) in his sessions which were also attended by his benefactor, al-Shīrāzī.<sup>2</sup> Al-Subkī portrayed Ibn al-Qushayrī's multi-faith sessions as highly poignant and saintly where conversion frequently occurs, whereas Ibn al-Jawzī reported the Ḥanbalīs' mocking accusation that the Islam Ibn al-Qushayrī propagated was the Islam of appeasement, not the Islam of true pietism.<sup>3</sup> The aforementioned conversion had led to violent killings following the clash between the partisans of Ibn al-Qushayrī and the partisans of the Ḥanbalī al-Sharīf Abū Ja'far al-Hāshimī (470/1078). Although descended from the Hāshimī family, Abū Ja'far pursued the harsh cause of al-Barbahārī (329/941) and was a staunch opponent of rationalism, particularly Ash'arism, as well as Sufism.<sup>4</sup>

Al-Shīrāzī had invited scholars to petition Nizām al-Mulk who was in Khurāsān to interfere in the riot. Eventually, he was accused by the Ḥanbalīs as the mastermind behind the Shāfi'ī-Ash'arī evangelical cause. In the reconciliation

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<sup>1</sup> See the conflict between the Hāshimī family Ḥanbalīs, the sympathisers of Ibn 'Aqīl and the *sharīf*-led majority of the Ḥanbalīs at the Gate of Degrees Quarter in: Makdisi, *Ibn 'Aqīl*, 24-27.

<sup>2</sup> *al-Muntaẓam*, 16:181.

<sup>3</sup> *Ibid.*, al-Subkī, *Ṭabaqāt*, 7:159

<sup>4</sup> Melchert, *Formation*, 150-155, Makdisi, *Ibn 'Aqīl*, 3-8.

plenary attended by the officials and several notable figures of the latter, al-Shīrāzī is portrayed as compelled to appease Abū Ja'far by handling a curriculum of *Uṣūl al-Fiqh* that censures Ash'arism and kissing the head of the latter as a sign of surrender.<sup>5</sup> Ibn al-Qushayrī was eventually sent back to Khurāsān with the condition that he not return to Baghdād. The Ḥanbalīs spread the words amongst the public of al-Shīrāzī's denouncement of Ash'arism, which according to al-Subkī aggravated him to the extent that he once again wrote to Nizām al-Mulk. Due to these instances, al-Shīrāzī's exact theological position becomes a matter of some ambiguity for modern scholars.<sup>6</sup> Nevertheless, the letter written in 470 AH/1078 CE warrants an investigation, as well as the imprisonment of Abū Ja'far, who was previously held at the palace of the Caliph, where he was allowed a gradually limited number of visitors.<sup>7</sup> In the report of Ibn al-Jawzī, heretical jurists, probably from the Shāfi'ī-Ash'arī faction, poisoned him in the same year.<sup>8</sup>

The clash between the two sides during this phase was also corroborated by the *takfīr* of the Ḥanbalīs in a public speech at Tuesday Market made by a preacher from Nizāmiyyah called al-Iskandarānī, which resulted in the crowd throwing bricks at him. He was, however, saved by the Nizāmiyyah Shāfi'īs, although the collision between them also turned violent following a military intervention. Livnat Holtzman elaborated in a recent article the above frictions in order to chart important stages in the *Sunnī* Revival.<sup>9</sup> She suggests that the event of Ibn al-Qushayrī 'symbolises the defeat of the rationalistic *kalām* to the traditional branch of knowledge.' However, it was within this milieu in Baghdād and also Khurasān that al-Ghazālī's project of intellectual mysticism thrives, paving the way for the

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<sup>5</sup> Recall the difference between sources of *fiqh* in *al-Luma'* and in *al-Ma'ūnah fī al-Jadal*, where in the latter it resembles Abū Ya'lā's deliberation. See Chapter 4. Amongst those who attended and surrendered to Abū Ja'far was Abū Sa'd al-Ṣufī. See the account on al-Khaṭīb's demise in Chapter 1.

<sup>6</sup> See also the editorial remark on the theology of al-Shīrāzī by 'Abd al-Majīd al-Turkī in: al-Shīrāzī, *Sharḥ al-Luma'*, 1:73-89.

<sup>7</sup> al-Subkī, *Ṭabaqāt*, 4:235.

<sup>8</sup> *al-Muntaẓam*, 16:182 and 195.

<sup>9</sup> Livnat Holtzman, *The Miḥna of Ibn 'Aqīl* (d. 513/1119) and the Fitna Ibn al-Qushayrī (d. 514/1120), in *The Oxford Handbook of Islamic Theology*, ed. Sabine Schmidtke (Oxford: Oxford Univ Press, 2016), 660-678.

expansion of the late Ash'arism. The legacy and qualification of former scholars like al-Khatib, therefore; could not escape the filtration of the previous two spectrums of traditionalism.

## 7.2 The Perceptions on al-Khaṭīb's Theological Stance

As in the case of al-Shīrāzī, the theological position of al-Khaṭīb has been unclear to modern researchers. The assertion of his former affiliation to Ḥanbalism too has been taken with less critical assessment.

ʿAbd al-ʿAzīz al-Kattānī (466/1074), the Ṣūfī and leading tradent of Damascus who was also a friend and a student of al-Khaṭīb informed the people of Damascus that al-Khaṭīb favoured the theology of al-Ashʿarī. Al-Kattānī was amongst the copyists of *Tārīkh Baghdād* and people sought him to compare their copies.<sup>10</sup> As he narrated from al-Khaṭīb, he explained that al-Khaṭīb's professors such as al-Barqānī and al-Azharī also narrated from the student. Al-Kattānī's statement represents a depiction from the nearest source.<sup>11</sup> Next in priority of proximity to al-Khaṭīb was ʿAbd al-Ghāfir al-Fārisī (529/1135). In the extraction of his work made by the Ḥanbalī al-Ṣarīfīnī (641/1244), al-Fārisī, after referring to al-Khaṭīb as the *ḥāfiẓ* of his time, mentions simply that he was an Ashʿarī in theology (*ashʿariyy al-ʿaqīdah*) and goes on to praise his eloquence and strong arguments together with excellence in calligraphy, reading skill, comprehension and memory.<sup>12</sup> Nothing concerning his connection to Ḥanbalism was mentioned.

Certainly, the above depiction was utilised by Ashʿarī propagators such as Ibn ʿAsākir who placed al-Khaṭīb at the fourth rank amongst the followers of al-Ashʿarī.<sup>13</sup> Later on, al-Subkī in his biographical dictionary of the Shāfiʿī jurisconsults, repeated this point.<sup>14</sup>

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<sup>10</sup> See ʿAwwād's remark on his copy, *TMS*, 1:183. Biography in: *Siyar*, 18:248.

<sup>11</sup> *TIM*, 10:175.

<sup>12</sup> al-Ṣarīfīnī, *al-Muntakhab*, 107.

<sup>13</sup> *Tabyīn*, 271.

<sup>14</sup> *Ṭabaqāt*, 4:29-39.

Later Ḥanbalī biographers, however, paraded interesting attitudes towards this point. When it comes to Ibn al-Jawzī (656/1258), he presented al-Khaṭīb as a Ḥanbalī who later converted to Shāfi‘ism due to his sympathy to the *mubtadi‘ah* (heretics) and his learning from them, in addition to the harsh treatment he received from a fraction of Ḥanābilah. In this narrative, Al-Khaṭīb was being portrayed as a defector from “mainstream” Sunnism i.e. Ḥanbalism. Ibn al-Jawzī sought to prove al-Khaṭīb’s implicit hatred against the Ḥanbalīs by revealing his criticism of their main figures in *Tārīkh Baghdād*. To respond to al-Khaṭīb’s prevailing credibility as *al-ḥāfiẓ*, he quoted the head tradent of Hamadhān, al-Ḥāfiẓ Ismā‘īl al-Qūmasānī (497/1104)<sup>15</sup> saying that there were three *ḥuffāz* he abhorred for their fanaticism; al-Hākīm for his favour of Shī‘ism; and Abū Nu‘aym and al-Khaṭīb for their fanaticism towards Ash‘arism. Al-Khaṭīb’s praises of certain theologians were also brought forward.<sup>16</sup> Ibn al-Jawzī omitted his Ḥanbalī professor al-Ḥāfiẓ ‘Abd al-Wahhāb al-Anmāṭī’s (538/1143) remark concerning al-Khaṭīb in his biography, even though he himself narrated it on another page of *al-Muntaẓam*. Al-Anmāṭī was a prominent Ḥanbalī tradent of Baghdād and a copyist of al-Khaṭīb’s *Tārīkh*. According to him, a Ḥanbalī devotee called Ibn al-Faqīrah (495/1102)<sup>17</sup> exhumed and destroyed the grave of al-Khaṭīb saying that this person ‘treated unjustly (*taḥāmūl*) our fellow Ḥanbalīs.’ Al-Anmāṭī saw him one day and took the axe from his hand. He reminded him that al-Khaṭīb was a great *ḥāfiẓ* and scholar, and asked him to repent.<sup>18</sup>

Ibn al-Jawzī’s narrative was echoed by another Ḥanbalī Ibn ‘Abd al-Hādī (909/1503) in his refutation against Ibn ‘Asākir. He initially agreed with Ibn ‘Asākir on the matter of al-Khaṭīb’s Ash‘arism but added that al-Khaṭīb was extremely

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<sup>15</sup> Recorded as al-Qūmasī in *al-Muntaẓam*. Biography in: *TIM*, 10:788.

<sup>16</sup> *al-Muntaẓam*, 16:129-135.

<sup>17</sup> *TIM*, 10:772.

<sup>18</sup> *al-Muntaẓam*, 9:133.

fanatical against the Ḥanbalīs (*kathīr al-‘aṣabiyyah*) to the extent that he criticised and refuted Ibn Ḥanbal himself on certain issues.<sup>19</sup>

Centuries later, Ibn Taymiyyah’s student, al-Dhahabī criticised Ibn al-Jawzī for his exaggerated statement on al-Khaṭīb and his own partiality in favour of Ḥanbalism. Al-Dhahabī, just like Ibn Taymiyyah, recounted the transitional phases of al-Ash‘arī and associated al-Khaṭīb with the final phase where al-Ash‘arī and his putative work *al-Ibānah* conformed to the creed of Ibn Ḥanbal.<sup>20</sup> Al-Dhahābī published part of al-Khaṭīb’s work; *al-Qawl fī’l-Ṣifāt* to show that al-Khaṭīb was against figurative interpretation of what seems as anthropomorphic attributes of God. This is similar to the *Salaf*, Ibn Ḥanbal and Ibn Taymiyyah himself. Commenting on al-Kattānī’s attribution to Ash‘arism, al-Dhahābī narrowed it down to the issue of Divine attributes saying that the *madhhab* of al-Ash‘arī was to accept these attributes the way they were dictated (*tumarr kamā jā’at*).<sup>21</sup> Quite blurrily, al-Subkī criticised al-Dhahabī for his ignorance of al-Ash‘arī’s views. According to him, al-Ash‘arī also supported *ta’wīl* in the sense of figurative interpretation.<sup>22</sup>

The work of al-Khaṭīb on the attributes was edited and published by ‘Abd Allāh Yūsuf al-Judaie whose editorial remark attributed al-Khaṭīb to Salafism. Thereupon, and with the help of Ibn al-Jawzī’s remark on al-Khaṭīb previous Ḥanbalism, and his few passages on the evil of *kalām*, modern Salafīs regarded al-Khaṭīb as following the authentic paradigm of *Ahl al-Sunnah* and his grounding and resourceful works on *ḥadīth* theory and criticism may be consulted with a less critical attitude.

### 7.3 Al-Khaṭīb’s Text on Divine Attributes

Al-Khaṭīb’s text was published based on a single manuscript which comprises of two sections: (1) al-Khaṭīb’s narration with his *isnād* to Ibn Ḥanbal

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<sup>19</sup> Ibn ‘Abd al-Hādī, *Jam‘ al-Juyūsh wa’l-Dasākir ‘alā Ibn ‘Asākir*, ed. Muḥammad Fawzī (Master Diss., Islamic University of Madinah, 1418/1997), 189.

<sup>20</sup> See below, fn 43.

<sup>21</sup> *TIM*, 10:179-186.

<sup>22</sup> *Ṭabaqāt*, 4:32-33.

concerning the uncreated-ness of Qur'ān, and (2) a narration from the Baghdādian Abū Ṭalib al-Ṣayrafī (563/1168) via his own *isnād* of al-Khaṭīb's reply to the question by a certain individual from Damascus concerning the attributes of God.

Al-Ṣayrafī was a teacher of Ibn 'Asākir and he went to trade in Damascus in 519AH/1125CE. There is no information found concerning his theological affiliation. Ibn 'Asākir mentioned that he eventually returned to Baghdād and al-Sam'ānī reported that he copied a lot of books despite his old age.<sup>23</sup> According to al-Dhahabī, al-Sam'ānī credited him with trustworthiness. He was the only person who narrated al-Khaṭīb's text from the latter's direct student, the Shāfi'ī Muḥammad ibn Marzūq al-Za'farānī (517/1123).<sup>24</sup> This indicates that he received the work before his trade mission to Damascus and his source is unavailable for verification by the Damascenes. Ibn 'Asākir who reported a lot from al-Khaṭīb's students seems to be unaware of this text.

The above was the only chain for the work and according to al-Judaei, the transmitters of the manuscript cannot be identified since it was merged with the manuscript of *I'tiqād al-Sunnah* by al-Ismā'īlī. However, amongst the transmitters of the latter was Muwaffaq al-Dīn 'Abd Allāh Ibn Qudāmah (541-620/1147-1223). Ibn Qudāmah was found to have recorded the above transmission and al-Khaṭīb's text in *Dhamm al-Ta'wīl* and through his chain; al-Dhahabī narrated it in *al-'Uluww*.<sup>25</sup>

As far as content is concerned, part of the text resembles strikingly the text of Abū Sulaymān al-Khaṭṭābī. The followings are the comparison between the two texts.

After mentioning the question from a Damascene, al-Khaṭīb began by saying that there were traditions recorded in *ṣiḥāh* and *sunan* works concerning this subject. The next part appeared to be unreadable. Then, al-Khaṭṭābī and al-Khaṭīb both said: '*Madhhab al-salaf ithbātuhā wa-ijrā'uhā 'alā ṣawāhirihā, wa-nafyu al-kayfiyyah*

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<sup>23</sup> TDQ, 57:10, TIM, 12:286.

<sup>24</sup> Ibn Kathīr, *Ṭabaqāt*, 1:558. He was amongst the copyists of TMS: *Siyar*, 19:471.

<sup>25</sup> Ibn Qudāmah, *Dhamm al-Ta'wīl* (UAE: Dār al-Fath, 1994), 13, al-Dhahabī, *al-'Uluww li'l-'Aliyy al-Ghaffār* (Riyadh: Aḍwā' al-Salaf, 1995), 253.



*wa'l-tashbih 'anhā. Wa-qad nafāhā qawmun fa-abṭalū mā athbatahu Allah.*' Al-Khaṭṭābī then pursued with '*Wa-ḥaqqaqahā qawmun mina'l-muthbitīn,*' whereas al-Khaṭīb differed slightly saying '*Wa-ḥaqqaqahā mina'l-muthbitīn qawmun.*' They agreed on the next line; '*fa-kharajū fī dhālika ilā ḍarbin mina'l-tashbih wa'l-takyīf.*' They differed again where al-Khaṭṭābī said '*al-ṭarīqah al-mustaqīmah bayna al-amrayn,*' and al-Khaṭīb said, '*al-ṭarīqah al-mutawassīṭah bayna al-umūr.*' The rest of al-Khaṭīb's text is similar to al-Khaṭṭābī's one beginning from '*wa'l-aṣl fī hādhā anna al-kalām fī al-ṣifāt far'un 'an al-kalām fī al-dhāt,*' until '*wa-wajaba nafyu al-tashbih 'anhā.*' Whereas al-Khaṭṭābī pursued with '*li-anna Allah laysa ka-mithlihi shay'un,*' al-Khaṭīb said '*liqawlihi tabāraka wa-ta'ālā,*' and cited the verse of the Qur'ān<sup>26</sup> that mentions the same phrase. Al-Khaṭīb, then, added another verse from the Qur'ān,<sup>27</sup> but al-Khaṭṭābī ended with '*wa-'alā hadhā jarā qawl al-salaf fī aḥādīth al-ṣifāt.*'<sup>28</sup>

These similarities indicate that either al-Khaṭīb was simply copying al-Khaṭṭābī, or he memorised the work, or the transmission of the text has been somewhat compromised.<sup>29</sup> Al-Khaṭṭābī's text was published by Ibn Taymiyyah attributing it to his famous work, *al-Ghunya 'an al-Kalām*. Al-Khaṭīb also possessed this book. The book is considered lost and al-Suyūṭī published only part of it. The above text cannot be appreciated from the published part making Ibn Taymiyyah the only source for it at present. Nevertheless, Ibn Taymiyyah remarked that the text of al-Khaṭṭābī was circulated by many scholars such as al-Khaṭīb, Abū Bakr al-Isma'īlī, Yaḥyā ibn 'Ammār al-Sajistānī al-Harawī (422/1031), Abū Isma'īl al-Harawī (481/1089), Abū 'Uthmān al-Ṣābūnī (449/1057) and Ibn 'Abd al-Barr.<sup>30</sup> The original text, thus, remains outside critical assessment.

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<sup>26</sup> Qur'ān, al-Shūrā: 11.

<sup>27</sup> Qur'ān, al-Ikhlāṣ: 4.

<sup>28</sup> al-Khaṭṭābī, *al-Ghunya 'an al-Kalām wa Ahlihi* (Cairo: Dār al-Minhāj, 2004), taken from al-Suyūṭī, *Ṣawn al-Mantiq wa'l-Kalām* (Majma' al-Buḥūth al-Islāmiyyah, 1970), 137.

<sup>29</sup> The same observed in the comparison between al-Khaṭīb's introduction in *al-Kifāyah* and al-Rāmḥurmuzī's *al-Muḥaddith al-Fāṣil*.

<sup>30</sup> *Majmū' al-Fatāwā*, 5:58-59. The edition may have several errors.

Notwithstanding this, al-Khaṭīb's text has more additions. He mentioned first that some heretics accused transmitters of these anthropomorphic *ḥadīths* with either the infidelity of *tashbīh* (assimilating God with human) or the heedless of *ta'ṭīl* (evicting God from attributes). The mention of *ta'ṭīl* is somewhat confusing since al-Khaṭīb already qualified the *Sunnīs* as *muthbitūn* (affirmers). Unless the type of affirmation includes a certain sense of suspension, al-Khaṭīb's description of affirmers being accused with unconscious eviction invites more questions. Al-Khaṭīb, nonetheless, refuted the attack by saying that these seemingly anthropomorphic attributes were also mentioned in the Qur'ān. It was not essentially a problem of *ḥadīth*.

However, al-Khaṭīb admitted that *ḥadīths* pertaining to this subject are of three groups: (1) sound traditions, (2) forged traditions, and (3) disputed traditions. Unfortunately, al-Khaṭīb remarked that he had never worked on the third group and he might pursue it in the future.

The mention of *ithbāt* in the text has convinced many to include al-Khaṭīb amongst *ahl al-ithbāt* (the affirmers). Moreover, al-Khaṭīb stressed that we shall not interpret the attribute *al-yad* (lit. hand) with *al-qudrah* (power), nor *al-sam'* (hearing) and *al-baṣar* (seeing) with *al-'ilm* (knowing). At first glance, this will place him against the Ash'arīs who adopted the figurative interpretation. Then, he mentioned that we must not say that these are body parts or equate them with it. The issue is whether al-Khaṭīb rejects *al-ta'wīl al-taṣṣīlī* (affirming a certain specific parabolic meaning), but accepts *al-ta'wīl al-ijmālī*, which the later Ash'arīs called *al-tafwīḍ* (acknowledging a *ẓannī ma'nā* while entrusting the *yaqīnī ma'nā* to God). If he adopted the *tafwīḍ* of decisive meaning, he would not be in the same camp with Ibn Taymiyyah who affirms *tafwīḍ al-kayf* (entrusting the deliberation of modality to God) together with the confident affirmation of *prima facie* meaning. *Al-Qawl fī al-Ṣifāt* leaves us with no answer.

To add to the frustration of determining al-Khaṭīb's exact stance, he had also stated strongly in *Jāmi' al-Ādāb* that the *ta'wīl* of these attributes occurs in many ways and guises (*ṭuruq wa-wujūh*). What does he mean by *ta'wīl*? Can al-Khaṭīb's stance, thereupon, be appreciated from the predecessors' deliberations?

## 7.4 The Classical Approaches to the Anthropomorphic Attributes

This controversial theological problem has been discussed extensively until the modern time from many perspectives and points of view. According to Ian Netton, 'Islam too has had a problem of divine 'faces'; not in the sense of a single deity divided up among, or represented by, many gods, but simply in the fact that Muslims over the age have regarded their one God in several widely differing ways.'<sup>31</sup> This arose mainly from the anthropomorphic depictions of God in the traditional sources. As al-Khaṭīb argued above, it began with the Qur'ān's depiction of God itself where it speaks of affirmation and negation concomitantly.<sup>32</sup> A reader of classical approaches to this subject would intuitively find that every reported position might be qualified by a somewhat relative affirmation and negation. This section, however, will present only major thoughts with regard to anthropomorphism and corporealism in order to locate al-Khaṭīb's idea. According to Shah, the discursive classical discourse on this issue began during the last years of the third Caliph 'Uthmān's reign. Shah delineates the early discourse on attributes ranging from 'Abd Allāh ibn Saba' to the alleged influenced Shī'ī sects such as al-Bayāniyyah, al-Hishāmiyyah, al-Manṣūriyyah, al-Mughīriyyah, al-Yūnusiyyah, and others, which were deemed by *Sunnī* scholars as *mujassimah* (corporealists). Furthermore, he highlighted the views attributed to the traditionalist Muqātil ibn Sulaymān (150/767) and the Shī'ī Hishām ibn al-Ḥakam al-Kūfī (ca. 179 or 199/796 or 815).<sup>33</sup>

Ultimately, Ja'd ibn Dirham (124 or 125/742 or 743) was reported to affirm God as the real Actor of everything, emphasise predestination, but refuted anthropomorphic implications of affirming attributes such as God speaking directly

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<sup>31</sup> Ian Richard Netton, *Allah Transcendent* (Surrey: Curzon Press, 1989), 2.

<sup>32</sup> See the verses in the text of al-Khaṭīb above. Also: Shah, *The Anthropomorphic Depictions*, 543-615.

<sup>33</sup> Binyamin Abrahamov, *Anthropomorphism and Interpretation of the Qur'ān in Theology of al-Qasim ibn Ibrahim* (Boston: Brill, 1996), 4, Alexander Hainy Khaleeli, "Hisham ibn al-Hakam: arch-heretic?" *Journal of Shī'a Islamic Studies* 3.iii (2010): 288-290, al-Shahrastānī, *Muslim Sects and Divisions*, trans. A.K. Kazi & J. G. Flynn (Oxon: Routledge, 2009), 130, 158, 153, 152 and 161, Ibn Taymiyyah, *Dar' Ta'āruḍ*, 2:331, *Minhāj al-Sunnah al-Nabawiyyah* (Riyadh: Univ. of Imām, 1986), 2:619, *TUG*, II: 528-532 (Muqātil), I:355-364 (Hishām).

to Moses or in need of friendship with Abraham.<sup>34</sup> Ibn Taymiyyah affirmed that Ja'd was the eponymous founder of *ta'ṭīl* (eviction of Divine attributes).<sup>35</sup> His disciple Jahm ibn Ṣafwān (127/745) conceptualised it more when he divided the attributes into those specific to God such as Creation, Giver of life and death, and Omnipotence, and those common to both God and man such as life, knowledge, etc. In affirming God's ontological difference to creatures, Jahm evicted the description of God through any human attributes. The absolute transcendence of God and His Sole Eternity (*baqā'*) was further affirmed in the negation of the everlasting nature of Heaven and Hell.<sup>36</sup> In the writing of al-Khaṭīb, Abū Ḥanīfah was portrayed to conclude, 'Two evils come to us from the east: Jahm the evictor (*mu'aṭṭil*) and Muqātil the assimilator (*mushabbih*).'<sup>37</sup>

In the midst of the tension between the two sides, the Mu'tazilah proposed rational deliberation and sophistication.<sup>38</sup> To affirm God's justice and unicity, He was reduced to vague eternal oneness, i.e. a free spirit from attributes. Abū al-Hudhayl al-'Allāf, as reported incompletely by al-Khaṭīb too, stated that the qualities were not in God's essence, and thus separable from it, thinkable apart from it, but they were His essence.<sup>39</sup> The Mu'tazilah devised two approaches against traditional dicta; (1) rejection of spurious dicta that affirm anthropomorphism, and (2) metaphorical delineation based on hermeneutics and linguistic license. The concept of *ta'wīl* was magnified favouring *tadabbur* (inward) meanings over *tabādur* (prima facie) of meaning. The concept of *majāz* serves as the linguistic apparatus for the endeavours. The Mu'tazilah were certainly of various grades of sophistications, but their common introduction of speculative or philosophical theology has been

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<sup>34</sup> Wilfred Madelung, *Religious Schools and Sects in Medieval Islam* (London: Variorum Reprints, 1985), 506-507.

<sup>35</sup> Ibn Taymiyyah, *Dar' Ta'āruḍ*, 2:331.

<sup>36</sup> Richard Frank, "The Neoplatonism of Jahm ibn Ṣafwān," in *Philosophy, Theology and Mysticism*, ed. Dimitri Gutas, IX:395-424.

<sup>37</sup> TMS, 15:207.

<sup>38</sup> See early anthropomorphism tendency in: TUG, III: 142.

<sup>39</sup> TMS, 4:582, Duncan Black McDonald, *Development of Muslim Theology, Jurisprudence and Constitutional Theory* (Beirut: Khayats, 1965), 136-137.

widely recognised. Ultimately, the Mu'tazilah's language threatened the normative simple experience of religion for ordinary people. The ordinary person's apparent anthropomorphism poses a less dangerous threat than anthroposophism, which figures God in terms of human wisdom.<sup>40</sup> In the observation of Ian Netton, this sense of transcendence leads semiotically, logically and inexorably to the 'death' of the word 'God', although none articulated it like that.<sup>41</sup> Similar to this argument, Ibn Taymiyyah ascribed the Mu'tazilah to *ta'tīl*.

Ibn Ḥanbal stood against the Baghdādian Mu'tazilah's sophistication and the implicit eviction behind the campaign of the created-ness of God's Scripture. Ibn Ḥanbal and his followers amongst the "*aṣḥāb al-ḥadīth*" favoured the texts and expressions dictated by, or transmitted from the direct receivers of the Scripture; the Prophet and his Companions. Historically, ideas and derivatives of human wisdom in this subject have led to violence and severe excommunication. It was argued that Ibn Ḥanbal revived the notion of *bi-lā kayf* propagated first by Abū Ḥanīfah in term of negation, but approved the circulated dicta amongst traditional scholars devising the concept of *imrār kamā jā'at* (let them pass the way they were transmitted).<sup>42</sup> Theological deliberators named the Ḥanbalīs as Ḥashawīs (heedless disseminators). The support of traditional scholars and propagators for the mere ascription of human attributes amongst the laymen awarded them the accusation of *tashbīh* (assimilating God to human) and *tajsīm*.<sup>43</sup>

Abū'l-Ḥasan al-Ash'arī, being trained in the Mu'tazilite milieu, embraced some empathy for speculative questions, yet simultaneously, was convinced by the majestic sophistication of traditional transmissions. Contrary to Ibn Ḥanbal whose influence was prevalent amongst the traditionalists and the public, particularly in Baghdād, Ash'arism penetrated the worldwide discourse of the philosophers,

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<sup>40</sup> For Ibn Taymiyyah, *ta'tīl* is more dangerous than *tashbīh*. See: *Naqd Asās al-Taqdīs* (Madinah: al-'Ulūm wa'l-Ḥikam, 1425), 3.

<sup>41</sup> Netton, *Allah Transcendent*, 332.

<sup>42</sup> Montgomery Watt, *Early Islam: Collected Articles* (Edinburgh: Edinburgh Univ. Press, 1990), 88.

<sup>43</sup> Ibn al-Jawzī, *Dafu Shubah al-Tashbīh bi-Akuff al-Tanzīh* (Cairo: al-Kulliyyāh al-Azhariyyah, 1991), Introduction.

theologians, rationalists and traditionalists alike. Whereas modern Ash‘arīs reject his retraction from figurative interpretation, modern Salafīs emphasize al-Ash‘arī’s conversion to Ḥanbalī *Sunnī* position after his migration to Baghdād. His adoption of figurative interpretation was reduced to the two former phases which were Mu‘tazilism and the phase of being influenced by Ibn Kullāb.<sup>44</sup> Al-Ash‘arī’s position, then, becomes a bone of contention between many *Sunnī* fractions until the modern time.<sup>45</sup> Ultimately, his stance could be identified amongst four main attitudes combining an affirmation and a sense of negation:

(1) *ithbāt al-lafẓ wa-tafwīḍ al-ma‘nā al-qat‘ī* (affirming the text and consigning the decisive meaning to God),<sup>46</sup>

(2) *ithbāt al-lafẓ wa-ta’wīl al-ma‘nā* (affirming the text and assigning a parabolic meaning),

(3) *ithbāt al-lafẓ wa-thubūti al-ma‘nā al-murād wa-nafy al-kayf* (affirming the text with the existence of a certain signified meaning, and negating corporealism), and

(4) *ithbāt al-lafẓ wa-tathbīt al-ma‘nā al-zāhir wa-tafwīḍ al-kayf* (affirming the text, assigning *prima facie* meaning, and consigning the modality).

Nevertheless, due to the fact that al-Ash‘arī has been acknowledged as belonging to those who maintain *ithbāt* (affirmation), it was generally recognised that *ithbāt* was the collective identity of people of *Sunnah* regardless of a more specific identification either with the Ash‘arism or the Ḥanbalism, particularly in their conceptions of *ta’wīl*, *tafwīḍ* and *takyīf*. As far as al-Khaṭīb is concerned, the question still remains: which sense of Ash‘arism he was perceived to belong?

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<sup>44</sup> Ibn Taymiyyah, *Majmū‘ Fatāwā*, 3:228, Ibn Kathīr, *Ṭabaqāt*, 1:210. See also: Harith Ramli, “The Predecessors of Ash‘arism: Ibn Kullāb, al-Muḥāsibī, and al-Qalānīsī” in *The Oxford Handbook of Islamic Theology*, ed. Sabine Schmidtke (Oxford: Oxford Univ Press, 2016).

<sup>45</sup> Modern scholars had spoken of different interpretation of Ash‘arism. See: Yūsuf al-Qaraḍāwī, *Fuṣūl fī al-‘Aqīdah bayna al-Salaf wa’l-Khalaf* (Cairo: Maktabah Wahbah, 2005). Richard Frank, “Elements in the Development of the Teaching of al-Ash‘arī,” in *Texts and Studies on the Development and History of Kalām*, ed. Dimitri Gutas, vol. II: Early Islamic Theology: The Mu‘tazilites and al-Ash‘arī, VI:141-190.

<sup>46</sup> Sayf al-‘Aṣrī, *al-Qawl al-Tamām bi-Ithbāt al-Tafwīḍ Madhhaban li’l-Salaf al-Kirām* (Amman: Dār al-Fath li’l-Dirāsāt wa’l-Nashr).

## 7.5 Al-Khaṭīb on *al-Mutashābihāt* and *al-Ta'wīl*

The text of *al-Qawl* clearly denies any association of al-Khaṭīb with *takyīf*.<sup>47</sup> It also excludes him from the view that expresses, for instance, the meaning of *yad* as *qudrah* (power), or reduces the meaning of listening or hearing to knowing. This position represents the second view attributed to al-Ash'arī, at least during the first two theological phases, as mentioned above. We are left with the views (1), (3) and (4) to locate al-Khaṭīb's *ta'wīl* and his association with Ash'arism.

It is crucial, however, to explore related topics before pursuing this concept. The first of them is the question of whether the Qur'anic verses and *ḥadīths* pertaining to attributes belong to the category of *mutashābihāt* or *muḥkamāt*.<sup>48</sup> The scope of this study does not allow a deliberation of views and divisions in this topic. Ibn Taymiyyah (728/1328) was the pivotal figure who decidedly asserted that traditionally there was none amongst the pious predecessors and the great scholars who qualified Divine attributes as *mutashābih*. Ibn Taymiyyah argued logically that when we recite the verse, which mentions "God is All-knowing," we certainly know the *ma'nā* (meaning) of this verse. There was no obscurity and confusion involved in this type of attributive verses.<sup>49</sup> Later Ḥanbalīs such as Marī al-Karmī (1033/1624) inversely asserted that verses of attributes belong to *mutashābihāt*.<sup>50</sup> The Shāfi'ī al-Zarkashī (794/1392), prior to him, had specified a section on the *mutashābihāt* verses pertaining to Divine attributes in his *ʿUlūm al-Qur'ān*.<sup>51</sup> He was echoed by al-Zurqānī (1367/1948) who also pointed out the work of Ibn al-Labbān (749/1348), *Radd al-*

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<sup>47</sup> Richard Frank suggests that *bi-lā kayf* in Ash'arī writings means more than without saying "why?" or "how?" to include the negation of physical attributes for *kullu mā fī al-ālam min al-mukayyafāt* (everything in the world which has physical attributes is created). *Elements*, 155-157.

<sup>48</sup> These are among the hermeneutical categories which were devised by early exegetes for the classification of the Qur'ān's contents which have their origin in a Qur'ānic pericope, Q. 3:7. Al-Khaṭīb preceded al-Rāghib al-Aṣfahānī who posits that the quest to fathom the import of such verses exercised the mind and that individuals were rewarded for ingeniously dissipating their energies therein. See these terms in: Mustafa Shah, *Tafsīr: Interpreting the Qur'ān* (London: Routledge, 2013), 1:22-23.

<sup>49</sup> *Majmū' Fatāwā*, 13:294-295.

<sup>50</sup> *Aqāwīl al-Thiqāt* (Beirut: al-Risālah, 1985), 60.

<sup>51</sup> al-Zarkashī, *al-Burhān fī ʿUlūm al-Qur'ān* (Cairo: Dār al-Turāth, 1984), 2:78.

*Mutashābihāt ilā al-Āyāt al-Muḥkamāt*.<sup>52</sup> Modern scholars such as al-Qaraḍāwī conclude that this was the view of the majority of the Sunnīs contrary to Ibn Taymiyyah.<sup>53</sup> Insofar as al-Khaṭīb is concerned, there was no reference as to whether he regarded the said verses and *ḥadīths* as *mutashābihāt* or otherwise. He did mention an opinion that views one of the Qur'anic opening letters, *kāf-hā-yā-‘ayn-ṣād* as referring to Divine attributes, in the midst of his elaboration on *mutashābihāt*.<sup>54</sup> It is insufficient, however, to ascribe to al-Khaṭīb any position with certainty.

Nevertheless, in defining *mutashābihāt*, al-Khaṭīb presented first Ibn Qutaybah's linguistic explanation of the term referring originally to anything that hinders a clear distinction due to its similarity to another thing. Al-Khaṭīb then provided some other views such as (1) *mutashābihāt* are synonymous to *mujmāl* (summary speeches), (2) *mutashābihāt* are God's hidden knowledge, (3) *mutashābihāt* are stories and parables apart from legal verses in the Qur'ān, and (4) *mutashābihāt* refer to the opening letters of certain chapters in the Qur'ān. Leah Kinberg has studied ideas pertaining to *mutashābihāt* explaining these views including the concept of ambiguity and similarity in relation to them.<sup>55</sup> Al-Khaṭīb eventually cited Ibn Fūrak who takes *mutashābihāt* to mean both “ambiguous” and “similar” but, in addition to Kinberg's list, have meanings that seem similar to falsehood (*bāṭil*).<sup>56</sup> The *mutashābihāt* was perceived as a fusion of disobliging meanings. According to Ibn Fūrak, one should be able to distinct (*tamyīz*), ascertain (*tabayyun*), speculate (*naẓar*)

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<sup>52</sup> Possibly the one published with the title *Izālat al-Shubuhāt ‘an al-Āyāt wa al-Aḥādīth al-Mutashābihāt* (Dār Ṭuwayq, 1995). See: al-Zurqānī, *Manāhil al-‘Irfān fī ‘Ulūm al-Qur’ān* (Cairo: Dār al-Kitāb al-‘Arabī, 1995), 2:226.

<sup>53</sup> al-Qaraḍāwī, *Fuṣūl fī al-Aqīdah*, 34.

<sup>54</sup> It was reported that these letters are description of God's attributes; *kāf* refers to *kāfi* (the sufficient), *hā* to *hādī* (the guide), *yā* is taken from *ḥakīm* (the wise), *‘ayn* for *‘alīm* (the all-knowing), *ṣād* for *ṣādiq* (the honest). See: *FWM*, 1:211.

<sup>55</sup> Leah Kinberg, “Muḥkamāt and Mutashābihāt (Koran 3/7): Implication of a Koranic Pair of Terms in Medieval Exegesis,” *Arabica* 35:2 (1988): 143-172.

<sup>56</sup> *FWM*, 1:209.



and recognise (*ilm*) the truth from the falsehood in these meanings.<sup>57</sup> The *mutashābihāt* then do not represent the limits to which reason must subjugate itself, rather an array of questions where *istidlāl* and *naẓar* must be employed. Ibn Fūrak also attributed this to al-Ash‘arī in *Mujarrad*.<sup>58</sup>

This view is further proven in al-Khaṭīb’s answer to the question of whether the scholars are able to fathom *mutashābihāt*, i.e. obtain *ta’wīl*. In *Kitāb al-Faṣīḥ*, al-Khaṭīb cited the Shāfi‘ī Abū Bakr al-Ṣayrafī who divided the *mutashābih* into two types. The first is known only to God based on the verse 7 of Āl-‘Imrān in the Qur’ān. It reads “*wa-mā ya‘lamu ta’wīlahu illa Allah wa’l-rāsikhūn fī al-‘ilm yaqūlūn āmanna bihi.*” The focal point is on the beginning part where the Qur’ān expresses that no one knows the *ta’wīl* except for God. The second type is the *mushtabihāt*, which was taken from the tradition of al-Nu‘mān ibn Bashīr where the Prophet says: ‘The lawful is clear and the unlawful is clear, and between them are *mushtabihāt* (confusing) matters which are unknown to most people.’ According to al-Ṣayrafī, this type of *mutashābih* is impliedly known to few people (the scholars). Al-Ṣayrafī here blended together *mutashābihāt* and *mushtabihāt* in the category of *mutashābih*.

Al-Khaṭīb disagreed with the consequence of this division. He sanguinely responded:

‘The truth is –and God knows better– the [interpretation of] *mutashābihāt* is known to the erudite amongst the scholars (*al-rāsikhūn fī l-‘ilm*). And God has never mentioned anything in His scripture except that He had provided a path for scholars towards its cognition (*ma‘rifah*).’<sup>59</sup>

Al-Khaṭīb gave several traditions to support this view. He remarked that historically not a single thing in the Qur’ān except that people had discussed its *ta’wīl* including the opening letters of some chapters, e.g. *alif-lām-rā’*, *alif-lām-mīm-ṣād*, etc.

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<sup>57</sup> In his work, Ibn Fūrak only mentions that *al-mutashābih* is a problematic (*mushkīl*) matter that requires thinking and contemplation. See: *al-Hudūd*, 147.

<sup>58</sup> Al-Ash‘arī: ‘It implies that *al-mutashābih* is a fusion of text with possibilities of contradicting meanings that it becomes confusing (*ishtabaha*). For many opposing meanings are involved, the right meaning can only be ascertained through *al-naẓar wa’l-istidlāl*.’ See: Ibn Fūrak, *Mujarrad*, 190-191.

<sup>59</sup> *FWM*, 1:210-211.

To further strengthen his argument, al-Khaṭīb discussed the verse 7 of Āl-ʿImrān. According to Kinberg, this verse has presented the Qurʾānic commentators with two main questions: one concerns the definition of *muḥkamāt* and *mutashābihāt*; the other touches the legitimacy of Qurʾān interpretation.<sup>60</sup> With regard to the second question, the verse employs a vague syntactic structure that accommodates both “that Allah alone knows the *taʾwīl* of *mutashābihāt*,” and “that *taʾwīl* also can be attained by the erudite amongst the scholars.” Al-Khaṭṭābī whose text was replicated in al-Khaṭīb’s aforementioned text asserted that majority of the scholars read the verse with a stop after the phrase “*illa Allah*”. They will recommence with “*waʾl-rāsikhūn fiʾl-ʿilm yaqūlūn āmannā bihi*” making the preceding *wāw* as the *wāw* of *al-istiʿnāf* (recommencement).<sup>61</sup> Al-Khaṭīb disagreed with this opinion. He presented Mujāhid’s recitation that does not stop after “*illa Allah*” and combines it with the phrase afterwards. Mujāhid was also reported to interpret the verse inserting the phrase “*yaʾlamūn taʾwīlahu wa-yaqūlūn*” (they know the interpretation and they say). Al-Khaṭīb argued: ‘If this is not the case, there will be no *faḍīlah* for the erudite amongst the scholars, for everyone including the common believers will definitely say ‘*āmannā bihi*’ (we profess it).’ At this point, the *darajāt* paradigm clearly influenced al-Khaṭīb’s interpretation. Being questioned with the absence of *wāw* before the word *yaqūlūn* to ensure that his reading conforms to the stylistic requirement of the language, al-Khaṭīb provided two answers: first is the legitimacy of ellipsis by the omission of the conjunctive *wāw* in Arabic rhetoric; the other is to place the verb *yaqūlūn* on the grammatical position of *ḥāl* (while) denoting ‘they know the *taʾwīl* while they are saying.’<sup>62</sup>

Nevertheless, if the verse indicates what al-Khaṭīb asserted, why is there a negative remark exemplified in the phrase “the perverse at heart eagerly pursue the *mutashābihāt* in their attempt to make trouble and to pin down a specific meaning of their own”? Al-Khaṭīb’s answer could be appreciated from the story of Ṣabīgh ibn ʿIsl who was flogged and punished by ʿUmar the Caliph for asking

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<sup>60</sup> Kinberg, *Muḥkamāt*, 143.

<sup>61</sup> al-Khaṭṭābī, *Maʿālim al-Sunan* (Aleppo: al-Maṭbaʿah al-ʿIlmiyyah, 1932), 4:331.

<sup>62</sup> FWM, 1:212.

questions on *mutashābih* in the Qur'ān.<sup>63</sup> Kinberg mentioned this story when discussing the possibility of interpretation amongst those who view that *mutashābihāt* concerns ambiguous verses. Referring to Harris Birkeland's study on the opposition towards *tafsīr* amongst classical Muslim scholars, this story at face value serves as a sign of opposition against *tafsīr*. However, according to Birkeland, this story could not be a proof for the opposition at such an early time. 'Umar may have been a strict ruler, but the activity of *tafsīr* flourished during or after Ibn 'Abbās' time. Nevertheless, the story, according to him, does reflect the later Ḥashawī or Ḥanbalī opposition to *tafsīr*.<sup>64</sup> Al-Khaṭīb too had not taken 'Umar's punishment as a prohibition to asking about *mutashābihāt*. Contrary to al-Ghazālī who stated that 'Umar was closing the doors of *jadāl* and *kalām*, al-Khaṭīb viewed that Ṣabīgh was punished because 'Umar had seen in him the tendency of casting doubts upon the ordinary Muslims by discussing difficult subjects and leading people to the wrong interpretation (*fāsid al-ta'wīl*).<sup>65</sup> This notion of *al-ta'wīl al-fāsid* reiterates the Ash'arī's concept of the valid *naẓar* according to the right condition. Scholars are given the right to speculate in order to "arrive" at the truth; hence, learning questions are allowed and praiseworthy contrary to the trouble-making questions. The negative remark in the above verse refers to the latter. Al-Khaṭīb presented several traditions where the Prophet reprimanded those who ask questions in order to publicise the error of scholars or to avoid responsibility. Elsewhere, al-Khaṭīb mentioned that the Caliph 'Alī was the only one amongst the Companions who requested people to ask him of anything that will occur until the end of time where he promised an answer for everyone. According to al-Khaṭīb, this was done in the right condition since 'Alī only uttered this statement after given authority and it was not in the time of the previous Caliphs.<sup>66</sup> *Naẓar*, *ijtihād* and *ta'wīl*, therefore: necessitate the right intention and the right condition.

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<sup>63</sup> Ibn Ḥajar, *al-Iṣābah fī Tamyīz al-Ṣaḥābah* (Beirut: Dār al-Kutub al-'Ilmiyyah), 3:370.

<sup>64</sup> Harris Birkeland, "Old Muslim Opposition against Interpretation of the Koran," in *The Qur'ān: Formative Interpretation*, ed. Andrew Rippin (USA: Ashgate Varorium, 1999), 41-80.

<sup>65</sup> al-Ghazālī, *Iḥyā'*, 1:88, *FWM*, 2:19, Ibn 'Asākir reported the stories of Ṣabīgh from the chain of al-Khaṭīb. See: *TDQ*, 23:408-409.

<sup>66</sup> *FWM*, 2:351-353.

Having clarified the above and al-Khaṭīb's concept of *mutashābihāt*, it is easier to apprehend al-Khaṭīb's statement in *al-Jāmi'* concerning the *ḥadīths* of Divine attributes. Al-Khaṭīb wrote:

'In his dictations, a tradent should avoid from narrating traditions which the minds of ordinary men are incapable of comprehending them for they might fall into errors and wrong estimations. They might fall into assimilating God with creatures or describing Him with improper descriptions. The example for this is the traditions pertaining to the Divine attributes whose *prima facie* meanings entail *tashbīh*, *tajsīm* or attaching body parts and organs to the One who is *al-azalī al-aadīm* (the pre-eternal and the timelessly eternal). Even though these *ḥadīths* are sound and its *ta'wīl* occurs in many ways and guises, the right of these *ḥadīths* is they are not to be delivered except to those who deserve them (*li-ahliahā*). We fear that those who are in ignorance of their meanings will take the outward meaning (*yaḥmiluhā 'alā ḡāhirihā*) or abominate them and accuse the honest transmitters of forgery.'<sup>67</sup>

What we learn from this important passage is that the *ḡāhir* meaning in this regard is not to be taken as the intended meaning.<sup>68</sup> Based on the discussion in the previous chapters, *ijtihād* is a responsibility of and confined to scholars who possess the right tools for *naẓar* and *istidlāl*. The ordinary men therefore: need to be distanced from engaging with highly speculative subjects.

From this point of view, we may safely exclude the possibility (1) of al-Khaṭīb's Ash'arism. It leaves us with only two possibilities whose difference lies in the conceptual idea of *ma'nā*.

If *ma'nā* is understood in the sense of *signifié*, *ta'wīl* then is a synonym of *tafsīr* where the relatively outward meaning is acceptable.<sup>69</sup> It refers to the position number (4). This was the position of Ibn Taymiyyah when he refuted those who viewed that the *ḡāhir* of these attributive verses and *ḥadīths* are not intended (*ghayr murād*). According to Ibn Taymiyyah, the affirmation of the *lafẓ* entails the affirmation of the *prima facie* or *tabādur*. It does not imply any corporeality or anthropomorphism, since the Divine realm is utterly different and extremely

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<sup>67</sup> *al-Jāmi'*, 2:107-108.

<sup>68</sup> See literal meaning, intended meaning and understood meaning in: Gleave, *Islamic Literalism*, 4-5.

<sup>69</sup> See Chapter Six.

disparate from the realm of the creatures.<sup>70</sup> Any deviation from *prima facie* meaning would be an alteration (*taḥrīf*). This binary of “*ẓāhir ghayr murād: prima facie* meaning” was employed by Ibn Taymiyyah to refute both *mu’awwilah* (non-outward-based interpreters) and *mufawwiḍah* (consignors) while preserving the simple easy experience of religion for the public. Both groups affirmed the *lafẓ* but with the emphasis on *ẓāhir ghayr murād*. Ironically, it was simplicity too that caused Ibn Taymiyyah many troubles for according to the simple minds, the *prima facie* meaning always entail anthropomorphism or assimilation.

It seems that *ma’nā* has been understood as *maqṣūd* (intended) by al-Khaṭīb. Thus, another binary could be proposed; “*ẓāhir ghayr murād: maqṣūd* meaning.” When the affirmation of *ma’nā* is asserted, it does not necessarily entail an affirmation of the *prima facie* meaning, rather a reference to a specific intended meaning by God, known to the erudite, “signified” not solely by language (*lisān ‘arabiy*), but also by the entirety of ‘ilm. It is not a *ta’wīl* in the sense of figurative interpretation. Whereas Ibn Taymiyyah’s position could be represented by *ithbāt al-ma’nā* (actively affirming the meaning), this position could be expressed by *thubūt al-ma’nā* i.e. the existence of the Divine intended meaning or metaphysical meaning. This intended meaning rejects eviction of the words and *takyīf* such as explained by al-Khaṭīb, but added the highly strong insistence on negating *tajsīm* and corporealism of the physical realm, contrary to Ibn Taymiyyah. They differed in the ultimate endpoint of *ta’wīl cum tafsīr* where Ibn Taymiyyah stopped at linguistic *prima facie* but the second group allowed for speculation to penetrate or transgress further. However, the acquired meaning is exclusive to the scholar and should not be qualified by any linguistic modality.

This might explain al-Khaṭīb’s view of Ash‘arism. It does coalesce with the impression that al-Ash‘arī was different from the Literalists (of *prima facie*) due to his insistence that we can talk about God only in a symbolic language. However, al-Ash‘arī also opposed the Traditionists severe restriction of reason.<sup>71</sup> For the fact

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<sup>70</sup> Ibn Taymiyyah, *Majmū‘ Fatāwā*, 3:43, also *al-Risālah al-Madaniyyah fī Taḥqīq al-Majāz wa’l-Ḥaqīqah fī Ṣifāt Allah Ta‘ālā* (Makkah: al-Maṭba‘ah al-Salafiyyah, 1932), 7-10.

<sup>71</sup> Frank, *Elements*, 186-187.

that the Prophet did not encounter this “rupture of language”, as Netton put it, it was the duty of *mujtahid* to employ the interpretive tools such as *qiyās*.

Al-Khaṭīb had succinctly noted,

‘The *qiyās* (reasoning) in *tawḥīd* is of two types. The praiseworthy is when it leads to the affirmation of the Maker and His unicity, and the affirmation of the Unseen realm, the Scriptures and His Messengers. The blameworthy one is when it leads to heresy and *ilhād* (atheism) such as assimilating His attributes with attributes of creatures (*tashbīh*) or rejecting the texts in which God and His Messenger affirm His attributes due to one’s [corrupted] reasoning.’<sup>72</sup>

If *kalām* is qualified by *qiyās* in matters of dogma, it is here supported and defended as long as it does not nullify the traditional dicta and understanding.

Having clarified the above, a question still remains. Whether the accessibility to this seemingly exclusive, mysterious and ineffable meaning of attributes confined to the exercise of learning and speculating upon thousands of *ḥadīth* or is it accessible through the *taṣawwuf* paradigm, which explains the later Ash‘arī accommodation of theosophical *taṣawwuf*. What was the perception towards *taṣawwuf* in al-Khaṭīb’s writings?

## 7.6 Al-Khaṭīb and *Taṣāwwuf*

As far as the available works are concerned, there was no self-testimony that connects him with *taṣawwuf*.<sup>73</sup> The concept of *taṣawwuf* itself was a matter of debate as reflected in Ibn al-Jawzī’s discussion on the origin of the name in *Talbīs Iblīs*.<sup>74</sup> A renowned Ḥanbalī mystic, ‘Abd al-Qādir al-Jīlānī, who was also a student of al-Khaṭīb’s student, Ibn ‘Aqīl, listed eight fine virtues on which Sufism is built. These are: (1) Liberal generosity, (2) Contentment, (3) Patience, (4) Symbolic instruction, (5) Living away from home, (6) Wearing the dervish cloak made of coarse wool (*ṣūf*),

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<sup>72</sup> FWM, 1:511.

<sup>73</sup> Ahmet Karamustafa, *Sufism: The Formative Period* (Berkeley and Los Angeles: University of California Press, 2007).

<sup>74</sup> Florian Sobieroj, “The Mu‘tazila and Sufism,” in *Islamic Mysticism Contested: Thirteen Centuries of Controversies and Polemics*, ed. Fred de Jong and Bernd Radtke (Leiden: Brill, 1999), 68-92.

(7) Wandering travel (in a state of abstinence), and (8) Spiritual poverty.<sup>75</sup> All these eight had been touched in al-Khaṭīb's *al-Zuhd wa'l-Raqā'iq*. However, there was no record of him practising some of them such as wearing *ṣūf* and renunciant wandering. Ibn al-Jawzī on the other hand had written a refutation titled *Dhamm 'Abd al-Qādir* and criticised the luminary that led to a conflict between him and his grandson.<sup>76</sup> The following is an attempt to identify al-Khaṭīb's attitude towards *taṣawwuf* through comparing his treatment of biographies of Ṣūfīs with Ibn al-Jawzī's assessment of Sufism. Apart from being identified with Ḥanbalism, Ibn al-Jawzī represented a spectrum in the circle of *al-ḥuffāẓ* that may reflect a diversity of attitudes within *aṣḥāb al-ḥadīth*.

### 7.7 Al-Khaṭīb's Sources for Biography of Ṣūfīs

To assess the background and possibility of influence, al-Khaṭīb's sources in his treatment of the Ṣūfīs are crucially significant. The following are notable Ṣūfīs and their works which al-Khaṭīb had evidently consulted in his writings:

1. Muḥammad ibn al-Ḥusayn al-Sulamī, Abū 'Abd al-Raḥmān of Nishapur (412/1022).<sup>77</sup>

He was a pioneering Ṣūfī writer. According to al-Khaṭīb, he visited Baghdād several times and authored *tafsīr*, *ḥadīth* and biographical works for the Ṣūfīs. Some sources attribute to him more than thirty works. Al-Khaṭīb audited *ḥadīths* from the generation who heard directly from him. One of al-Khaṭīb's masters, al-Ḥāfiẓ Yūsuf ibn Aḥmad al-Qaṭṭān (n.d.) of Nishapur accused al-Sulamī of fabricating *ḥadīths* for the Ṣūfīs. This Shāfi'ite master doubted al-Sulamī's transmission from the Shāfi'ite al-Aṣamm and his *ḥadīth* competency which he proved by his transmission of the *Tārīkh* of Ibn Ma'īn after the demise of al-Hākim of Nishapur. Al-

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<sup>75</sup> al-Jīlānī was deemed the pole of the saints. 'Abd al-Qādir al-Jīlānī, *Pearls of the Heart*, trans. Muhtar Holland, printed with *The Summary of Religious Knowledge* (Florida: al-Baz Publishing Inc., 2010), 166.

<sup>76</sup> al-Dhahabī: 'Ibn al-Jawzī did not grant a proper credit to 'Abd al-Qādir.' *Siyar*, 21:376-377, *TIM*, 12:1107-1109.

<sup>77</sup> Jean-Jacques Thibon, *L'œuvre d'Abu Abd al-Rahman al-Sulami, 325/937-412/1021, et la formation du soufisme* (Damascus: Institut français du Proche-Orient, 2009).

Khaṭīb's friend al-Qushayrī, however, told him of the thaumaturgic gift of al-Sulamī he experienced in person. Al-Khaṭīb commented on al-Qaṭṭān's remark: 'Abū 'Abd al-Raḥmān was highly respected by the people of his city, and of great importance amongst his Ṣūfī followers. He was also a well-accomplished *ḥadīth* tradent and a respected author of biographies, and *ḥadīth* topics and subjects. He had a Ṣūfī lodge in Nishapur, which I have visited. His grave is people's spot for blessings and I have visited it too.'<sup>78</sup>

The consulted works:

- 1- *Ṭabaqāt al-Ṣūfiyyah*<sup>79</sup>
- 2- *Tārīkh al-Ṣūfiyyah*<sup>80</sup>
- 3- *al-Ikhwah wa al-Akhawāt min al-Ṣūfiyyah*<sup>81</sup>

2. 'Alī ibn 'Abd Allāh ibn Jahḍam al-Jīlī, Abu'l-Ḥasan of Hamadhān (414/1023).

He migrated from Hamadhān and became well known as the Ṣūfī of Makkah. Amongst those transmitted from him were al-Ḥāfiẓ al-Azdī al-Miṣrī and al-Ḥāfiẓ al-Quḍā'ī. Ibn al-Jawzī reported that some people accused him of fabricating traditions. However, the tradent and historian of Hamadhān, Shīraviyē of Daylam praised his *ḥadīth* transmission and his Ṣūfī practices saying that he was well known in these regions.<sup>82</sup>

The consulted work would be his work on biography of the Ṣūfis titled *Bahjah al-Asrār* which al-Dhahabī evaluated as full of frauds.<sup>83</sup> Al-

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<sup>78</sup> TMS, 3:42.

<sup>79</sup> Compare: TMS, 14:136 and al-Sulamī, *Ṭabaqāt*, 162.

<sup>80</sup> TMS, 3:280, 5:470, 6:423, 7:13, 7:439, 7:609, 8:292, 13:545. The book *Tārīkh al-Ṣūfiyyah* does not extant.

<sup>81</sup> TMS, 7:609. Al-Sulamī's book does not extant.

<sup>82</sup> Ibn Ḥajar, *Lisān al-Mīzān*, 5:554-555.

<sup>83</sup> al-Ziriklī, *al-A'lām*, 4:304.



Khaṭīb received this work from Ibn Jahḍam's student 'Abd al-'Azīz the scribe, who learned it in Makkah.<sup>84</sup>

3. Ma'mar ibn Aḥmad al-Šūfī, Abū Maṣṣūr of Isfahan (418/1027).<sup>85</sup>

Al-Khaṭīb received his work *Ṭabaqāt al-Nussāk* during his visit to Jarbādhīqān while he was learning under Abū Nu'aym.<sup>86</sup>

4. His professor, Abū Nu'aym al-Isfahānī (430/1039).

Al-Khaṭīb certainly reported directly from the professor.<sup>87</sup> He also cited extensively from his *Ḥilyat al-Awliyā'*.<sup>88</sup> Amongst the works of Abū Nu'aym he brought to Damascus:

- 1- *Al-Thuqalā'* - a literary work on humour.
- 2- *Riyāḍat al-Muta'allimīn* - on Šūfī training of the carnal soul.

5. His friend, 'Abd al-Karīm ibn Hawāzin, Abū'l-Qāsim al-Qushayrī

See below for further elaboration.

6. Unknown authors

These works are mentioned amongst the books al-Khaṭīb brought to Damascus:

- 1- *Akḥbār Fuḍayl ibn 'Iyāḍ*
- 2- *Akḥbār Bishr ibn al-Ḥārith*
- 3- *Akḥbār Dāwūd al-Ṭā'ī*
- 4- *Akḥbār Wuhayb ibn al-Ward*
- 5- *Akḥbār Ibrāhīm ibn Adham*
- 6- *Akḥbār Ḥātim al-Aṣamm*
- 7- *Kalām Dhī'l-Nūn al-Miṣrī*
- 8- *Kalām Yaḥyā ibn Mu'āz al-Rāzī*

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<sup>84</sup> TMS, 6:330, 6:459, 8:688.

<sup>85</sup> See Chapter One.

<sup>86</sup> TMS, 6:493, 8:145, 16:168, 9:477.

<sup>87</sup> 'Dhakara lī Abū Nu'aym,' See: TMS, 2:204, 11:321, and 16:603.

<sup>88</sup> TMS, 7:545. Cf. Abū Nu'aym, *Ḥilyah*, 8:338.

## 7.8 Comparative Studies on the Main *Taṣawwuf* Figures

The selection of the figures of this section is based on three criteria: (i) The mention of their works in the library of al-Khaṭīb, (ii) the length of treatment al-Khaṭīb allocated for their biographical entry in *Tārīkh*, and (iii) Ibn al-Jawzī's criticism of them in the section on the devil's deception of the Ṣūfīs in *Talbīs Iblīs*. Ibn al-Jawzī's evaluation will be appreciated as well from his other work *Ṣifat al-Ṣafwāh*.

### 7.8.1 Al-Ḥārith al-Muḥāsibī (243/857)

Al-Muḥāsibī's main agenda was an inspection of mystical psychology, which exemplified in his work *al-Ri'āyah li-Ḥuqūq Allah*. His autobiographical work titled *Waṣāyā* could be considered as the prototype for al-Ghazālī's *al-Munqidh min al-Ḍalāl*. He also had a short treatise on the nature of the intellect named *Māhiyat al-'Aql wa Ma'nāhu*. After his long journey of seeking the right path, he came to a realisation that led him to emphasise the role of self-discipline in taming the carnal soul, which informs his concept of *muḥāsabah* (self examination). Gavin Picken did an elaborate study on this early master of the Ṣūfīs of Baghdād.<sup>90</sup>

Al-Khaṭīb began his biographical entry by praising him as amongst those who were blessed with the combination (*ijtima'a lahu*) of *zuhd* with *ma'rifat* of *ẓāhir* and *bāṭin*. This was neither a statement of al-Sulāmī, nor Abū Nu'aym or al-Qushayrī.<sup>91</sup> Al-Khaṭīb praises his works in *zuhd*, theology and theological refutations saying that they are full of benefits. The picture of al-Muḥāsibī's achievement in Ash'arī theology was presented through the statement of al-Khaṭīb's Ash'arī professor Ibn Shādhān that al-Muḥāsibī's work titled *al-Dimā'* was the chief

<sup>89</sup> See the chapter "The Ṣūfīs of Baghdād" in: Karamustafa, *Sufism*, 1-26.

<sup>90</sup> Gavin Picken, *The Life and Works of al-Muḥāsibī* (Routledge, 2011). Cf. Josef van Ess, *Die Gedankenwelt Des Ḥārith Al-Muḥāsibī Anhand Von Übersetzungen Aus Seinen Schriften Dargestellt Und Erläutert*. (Bonn: Selbstverlag des Orientalischen Seminars der Universität Bonn, 1961).

<sup>91</sup> al-Sulāmī, *Ṭabaqāt*, 58, Abū Nu'aym, *Hilyah*, 10:73, al-Qushayrī, *al-Risālah* (Cairo: Dār Jawāmi' al-Kalim), 48.

reference for the Ash‘arīs concerning the civil wars amongst the Companions.<sup>92</sup> Al-Khaṭīb’s input echoes ‘Abd al-Qāhir’s remark that ‘upon the writings of al-Muhasibi in *kalām*, *ḥadīth*, *fiqh*, and *taṣawwuf* rest those amongst us who are theologian, *ḥāfiẓ*, jurist, and *Ṣūfī*.’<sup>93</sup>

As studied in an article by Picken, al-Muḥāsibī faced a criticism from Ibn Ḥanbal.<sup>94</sup> It was not surprising then to find Ibn al-Jawzī citing him in many places to the extent that al-Muḥāsibī was rendered the root of a pandemic (*aṣl al-baliyyah*).<sup>95</sup> Both brought into the picture Abū Zur‘ah’s famous description of al-Muḥāsibī’s books as heretical and deviant writings. Al-Khaṭīb, however, preceded it with the narrative that Ibn Ḥanbal’s critic of al-Muḥāsibī was due to his engagement in *kalām*. Elsewhere, al-Khaṭīb had also reported Abū Zur‘ah’s description of *Ṣaḥīḥ Muslim* as the mine for heretics.<sup>96</sup> Melchert has entertained the fact that Ibn Ḥanbal associated al-Muḥāsibī with Jahmism, probably for the problem of *lafẓ*.<sup>97</sup> Al-Khaṭīb ended by intimating that al-Muḥāsibī’s loss of endearment from scholars during his demise was due to his conflict with Ibn Ḥanbal.

### 7.8.2 Dhū’l-Nūn al-Miṣrī (245/859)

Dhū’l-Nūn was the first to publicise his mystical experiences and to formulate the theory of gnosis (*ma‘rifah*). This refers to knowledge arising from God’s providential communication of spiritual light into the heart of a *Ṣūfī*, which differs from common knowledge (*‘ilm*) that comes from sensory perception. He was

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<sup>92</sup> TMS, 9:104.

<sup>93</sup> ‘Abd al-Qāhir, *Uṣūl al-Dīn*, 308-309.

<sup>94</sup> Gavin Picken, “Ibn Ḥanbal and al-Muḥāsibī: A Study of Early Conflicting Scholarly Methodologies,” *Arabica (Revue d’études arabes et islamiques)* 55.3 (2008): 337-361.

<sup>95</sup> Ibn al-Jawzī, *Talbīs*, 243-244.

<sup>96</sup> *Tarikh*, 5:450.

<sup>97</sup> Melchert, *Formation*, 73-75.

also the first to introduce the *Ṣūfī* doctrines of *aḥwāl wa maqāmāt* (states and stations).<sup>98</sup>

Al-Khaṭīb had a long entry on him and defended his narrations of *ḥadīth*. According to him, there were spurious traditions traced back to Dhū'l-Nūn. He reported al-Azharī's mention of al-Dāraquṭnī's doubt over traditions Dhū'l-Nūn reported from Mālik ibn Anas since Dhū'l-Nūn was a mere preacher (*wā'iz*). However, al-Sulamī had reported that al-Dāraquṭnī also said: 'If the chain to Dhū'l-Nūn is clean, his traditions are sound for he himself is trustworthy.' Al-Khaṭīb concluded that the culprit for these spurious traditions would be amongst those who feature later in the chains.

Al-Khaṭīb also included a one page long of Dhū'l-Nūn's answer to the Caliph al-Mutawakkil in which he gave a detailed description of the *awliyā' Allah* (saints of God). He also dictated a prayer to Judge Yaḥyā ibn Aktham for al-Mutawakkil, which includes the phrase *bi-dhikrika fī dhikrika ilā dhikrika* (by virtue of, being in, and heading to Your remembrance).<sup>99</sup> In *al-Zuhd wa'l-Raqā'iq*, al-Khaṭīb cited Dhū'l-Nūn more than five times amongst them his *ishārah* (*Ṣūfī* allusion) on the cure of *ma'ṣiyah* (disobedience).<sup>100</sup>

Ibn al-Jawzī included Dhū'l-Nūn amongst the masters of innovation. After citing Ibn Ḥanbal and Abū Zur'ah's mention of heretical books and writings, he reported that al-Sulamī affirmed Dhū'l-Nūn as the first to have discussed the *Ṣūfī* states and stations in his town. 'Abd Allāh ibn 'Abd al-Ḥakam, a leading figure in Egypt and a follower of Mālikī *madhhab* refuted Dhū'l-Nūn. Consequently, Dhū'l-Nūn was boycotted by the scholars of Egypt and accused as a *zindīq*.<sup>101</sup>

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<sup>98</sup> B.A. Dar, "Ṣūfīs before al-Ḥallāj," in *A History of Muslim Philosophy*, ed. M. M. Sharif (Wiesbaden, 1963), 340-341, Karamustafa, *Sufism*, 6.

<sup>99</sup> *TMS*, 9:373.

<sup>100</sup> *al-Muntakhab min al-Zuhd*, 122.

<sup>101</sup> Ibn al-Jawzī, *Talbīs*, 243.

### 7.8.3 al-Junayd al-Baghdādī (289/910)

Al-Junayd was the leader of Baghdād's mystical school, yet was recognised by all mystical schools due to his balanced view on exotericism and esotericism. His main teaching treats the concept of God's unity (*tawḥīd*) and human sobriety (*al-ṣahw*). He was associated with al-Muḥāsibī and his uncle al-Sariy ibn al-Mughallis al-Saqatī (253/867). Al-Junayd's mysticism retains submissiveness to God in the concept of *fanā'* (annihilation) where a *Ṣūfī* must return to consciousness over his relationship with God after *fanā'*.<sup>102</sup>

Al-Khaṭīb had his biographical entry in pages where he qualified al-Junayd with the learning of *ḥadīth* and the jurisprudence of Abū Thawr.<sup>103</sup> According to al-Khaṭīb, he was the unique master of his time in the science of *aḥwāl*, *Ṣūfī* language, and the method of exhortation. He was attributed with numerous magnificent incidents and thaumaturgic gifts. This was echoed by al-Qushayrī who named al-Junayd as *sayyid hādhihi al-tā'ifah* (the master of this movement).<sup>104</sup> Al-Khaṭīb portrayed al-Junayd's orthodoxy by his famous statement on *taṣawwuf* being intertwined with *ḥadīth*, sometimes with *Kitāb* and *Sunnah*. This raised his credibility that even Ibn Surayj's innovative juridical teaching was boosted magically due to his learning from al-Junayd. Next, al-Junayd was also being widely recognised by scribes of *ḥadīth*, philosophers and theologians that attended his session altogether as attested by the Mu'tazilī al-Ka'bī. In al-Khaṭīb's *al-Zuhd*, al-Junayd defines *taṣawwuf* as applying to all praiseworthy characteristics according to the *Sunnah*.

Ibn al-Jawzī cited al-Junayd's definition as well.<sup>105</sup> However, he also reported that al-Junayd was attested by witnesses several times over being an apostate or *zindīq*.<sup>106</sup> Ibn al-Jawzī reported on the authority of Abū'l-'Abbās Ibn 'Aṭā that when Ghulām Khalīl reported the apostasy of the *Ṣūfis* to the Caliph, al-Junayd

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<sup>102</sup> A. H. Abdel Kader, ed. and trans, *The Life, Personality and Writings of al-Junayd* (London, 1976), Karamustafa, *Sufism*, 15-17.

<sup>103</sup> *TMS*, 8:168.

<sup>104</sup> *al-Risālah al-Qushayriyyah*, 63.

<sup>105</sup> Ibn al-Jawzī, *Talbīs*, 238.

<sup>106</sup> *Ibid*, 247.

disguised himself as a jurist who teaches the jurisprudence of Abū Thawr.<sup>107</sup> The wisdom of al-Junayd pertaining to asceticism, nevertheless, was provided in *Ṣifat al-Ṣafwah*.<sup>108</sup>

#### 7.8.4 Al-Ḥusayn ibn Manṣūr al-Ḥallāj (309/922)

Al-Ḥallāj left the most controversial legacy in the history of early Sufism. Contrary to the sober Sufism of al-Junayd and his use of allusions (*ishārāt*) to express divine mysteries and mystical experiences, al-Ḥallāj represents the intoxicated version of mysticism and employs blunt and bold expressions. Louis Massignon pioneered the detailed study of al-Ḥallāj's life and teachings.<sup>109</sup> The central theme of his Sufism was love with God where a Ṣūfī ultimately reached a union with God. The majority of Muslim scholars reported that due to this notion of *al-ḥulūl wa'l-ittiḥād* (monism), al-Ḥallāj was prosecuted.

Al-Ḥallāj enjoys the longest entry amongst the biography of the Ṣūfīs al-Khaṭīb provided in *Tārīkh Baghdād*.<sup>110</sup> After the account on his genealogy, al-Khaṭīb mentioned his learning from al-Junayd and other Ṣūfī masters. The first part of the biography, then, portrayed al-Ḥallāj as the disputed figure amongst the Ṣūfīs themselves. According to al-Khaṭīb, the majority of Ṣūfīs denounced him, but early Ṣūfīs such as Abū'l-ʿAbbās Ibn ʿAṭā and Muḥammad ibn Khafīf (371/982) recognised al-Ḥallāj's favoured status with God. Ibn Khafīf, who was also a Shāfiʿī and a friend of al-Ashʿarī, designated him *ʿālim rabbānī* (Godly scholar).<sup>111</sup> Al-Ḥallāj, according to al-Khaṭīb, possessed the talent of exquisite linguistic expressions, and mellifluous utterances and poetry. Those who denounce him associated him with trickery and *zandaqah*, yet he was still celebrated to the days of al-Khaṭīb.

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<sup>107</sup> Ibid, 251.

<sup>108</sup> 2:416.

<sup>109</sup> Louis Massignon, *The Passion of al-Hallaj: Mystic and Martyr of Islam*, trans. Herbert Mason (Princeton Univ. Press, 1994), Herbert Mason, "Hallaj and the Baghdād School of Sufism," in *The Heritage of Sufism*, ed. Leonard Lewisohn (Oxford: Oneworld, 1999), 65-81.

<sup>110</sup> TMS, 8:688.

<sup>111</sup> He was the teacher of al-Bāqillānī: TIM, 8:365.

Al-Khaṭīb apologised to his readers that he would report the accounts of al-Ḥallāj despite arguments apropos his status. He presented more than twenty-five accounts on various events in the life of al-Ḥallāj. Next, al-Khaṭīb provided nearly on the same length what have been said concerning al-Ḥallāj's trickery. The third part consists of the detailed story of al-Ḥallāj after being captured by the minister Ḥāmid ibn al-ʿAbbās. It also contains the arguments of the jurists against his creed and teachings. An account was reported on the authority of some close individuals that scholars and *fuqahā'* asked al-Ḥallāj during the inquisition about the meaning of *burhān* (the proof of God). Al-Ḥallāj replied that they (i.e. *burhān*) are manifestations in the form of a cloth being cloaked around a man of purity, to whom a magnet of attraction directs the souls. The *fuqahā'* unanimously said: 'This is a speech of *zandaqah* (monism)!'. Al-Khaṭīb criticised the attribution of this evaluation as *zandaqah* to the *fuqahā'*. According to him, this "some close individuals" is unidentified (*majhūl*) and his narration cannot be accepted.<sup>112</sup> The *fuqahā'* approved the death penalty for some other reasons. Al-Khaṭīb ended this section with the words of Naṣr the guard, 'He was treated unjustly; he was amongst the worshippers of God.'

We are left without any decisive result when reading al-Khaṭīb's entry on al-Ḥallāj. Al-Khaṭīb had also praised Abū 'Abd al-Raḥmān al-Sulamī whom al-Qushayrī told him was transferring the poems of al-Ḥallāj through his works.<sup>113</sup> Contrary to this impression, Ibn al-Jawzī was undoubtedly firm in his stance on al-Ḥallāj, to the extent that he adopted the view that whosoever thought otherwise was breaching the agreement of the *fuqahā'*.<sup>114</sup> For him, the favour of the Ṣūfīs or the scholars of his time to al-Ḥallāj was a sign of stupidity and ignorance of the *Sharī'ah*. Al-Ḥallāj enjoys no single mention in *Ṣifat al-Ṣafwah*. Ibn al-Jawzī even wrote a treatise

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<sup>112</sup> Massignon argued that al-Khaṭīb criticised the account to support the Ash'arī position on witness. See: *al-Ḥallāj*, 250.

<sup>113</sup> *TMS*, 3:42.

<sup>114</sup> Ibn al-Jawzī, *Talbīs*, 250-251. He did mention that Abū'l-ʿAbbās Ibn Surayj was silent and hesitated to comment on the pronouncement of al-Ḥallāj's apostasy made by a judge. Ibn Surayj replied: 'I do not have any idea on his decision.'

dedicated to revealing the tricks of al-Ḥallāj and the position of scholars concerning him. It was titled *al-Qāṭi' li-Maḥāl al-Lijāj al-Qāṭi' li-Miḥal al-Ḥallāj*.<sup>115</sup>

#### 7.8.5 Abū Bakr al-Shiblī (334/946)

Al-Shiblī was an important Ṣūfī of Persian descent and a learned scholar in *ḥadīth* and Mālikī jurisprudence. He was a high-ranking government official but converted to Sufism at the age of forty. Similar to his friend al-Ḥallāj, he befriended al-Junayd until he admired him. Eventually, he denounced the way of al-Ḥallāj to prefer concealment of Divine Love due to Divine Jealousy. The allusions of al-Shiblī were considered amongst the wonders of Baghdād. His immersion in love with God, nevertheless, led him to be hospitalised frequently in the mental asylum in Baghdād. Al-Junayd, however, saw al-Shiblī's return to sobriety during his prayers and acknowledged his state.<sup>116</sup> Ibn Taymiyyah, on the other hand, considered him *maghlūb* (psychologically interrupted).

Al-Khaṭīb's entry on al-Shiblī is nearly as long as his entry on al-Junayd. After mentioning the various reports on his real name, al-Khaṭīb stated that accounts and stories about al-Shiblī are numerous but he could not find a *ḥadīth* narration traced back to al-Shiblī's chain except the one which says, 'Meet God in the state of destitution. Do not meet Him in the state of wealth.' In his biography, al-Khaṭīb reported that al-Shiblī learned *ḥadīth* for twenty years and frequented the jurists' sessions for twenty years. Whenever he was ashamed by a legal question in the session of Abū 'Imrān al-Ashyab, al-Shiblī gave eighteen answers for the simple question. Abū 'Imrān kissed his head and admitted that he had only learned twelve answers. Al-Junayd remarked that al-Shiblī's view should not be taken as a mere speculation for God guides his vision. Al-Shiblī also yelled "the secrets, the secrets!" to remind the Ṣūfīs from revealing them to the *aghyār* (other than God). Elsewhere in *Tārīkh*, on several occasions, al-Khaṭīb qualified narrators with descriptions such

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<sup>115</sup> 'Abd al-Ḥamīd al-'Alūjī, *Mu'allafāt Ibn al-Jawzī* (Baghdad: Wizārah al-Thaqāfah wa'l-Irshād, 1965), 136 and 226.

<sup>116</sup> Alexander Knysh, *Islamic Mysticism: A Short History* (Leiden: Brill, 2000), 64-66.



as ‘he was a follower of al-Shiblī,’ indicating his knowledge of a group affiliated with the figure.

Whereas in the *Tārīkh* of al-Khaṭīb, Abū Bakr Ibn Mujāhid was reported to witness in his dream that the Prophet qualified al-Shiblī as a man of Paradise; Ibn al-Jawzī reported another story on the conversation between the Ibn Mujāhid and al-Shiblī. It was reported by al-Khaṭīb too. Commenting on the story, Ibn al-Jawzī criticised al-Shiblī’s explanation of a Qur’ānic verse, contrasting it to the opinions of other Qur’anic exegetes. Al-Shiblī employed it to support his act of perforating his new cloth as a sign of ascetic patched garment.<sup>117</sup> In *al-Ṣafwah*, Ibn al-Jawzī described al-Shiblī’s act as foolish and legally prohibited.<sup>118</sup> Ibn al-Jawzī explained the *ḥadīths* reporting patches on the clothes of the Prophet and Companions as circumstantial. The Ṣūfīs according to him are more superficially pretentious. Ibn al-Jawzī’s account of al-Shiblī in *al-Ṣafwah* repeated several anecdotes provided beforehand by al-Khaṭīb.<sup>119</sup>

#### 7.8.6 Abū Ṭālib al-Makkī (386/996)

Muḥammad ibn ‘Alī al-Makkī wrote a manual on Sufism entitled *Qūt al-Qulūb*, which blends together Islamic law and mysticism. He has been recognised as the link between early Ṣūfīs and ‘Abd al-Qādir al-Jīlānī as well as al-Ghazālī. Harith Ramli did an extensive study on al-Makkī’s idea of knowledge and theology. According to Ramli, al-Makkī can be placed in a category of traditionalists who did not practice fiqh exclusively according to the opinions of one jurist, but shared many things in common with the early Ḥanbalī school, including hostility to rationalist theology. To some extent, al-Makkī has incorporated the teaching of the Sālimiyyah in his work.<sup>120</sup>

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<sup>117</sup> See: Chapter on corrupting the clothes, *Talbīs*, 293.

<sup>118</sup> *Ṣifat al-Ṣafwah* (Cairo: Dār al-Ḥadīth, 2009), 1:12.

<sup>119</sup> *Ibid*, 1:540.

<sup>120</sup> Harith Ramli, A Study of Early Sufism in Relation to the Development of Scholarship in the 3rd/9th and 4th/10th Centuries AH/CE” (PhD Diss., University of Oxford, 2011).

Al-Khaṭīb narrated from a son of al-Makkī, Abū Ḥafṣ ‘Umar (445/1053) and mentioned his friends’ auditions from another son, Abū’l-Ḥasan ‘Alī (458/1066).<sup>121</sup> Both sources were considered sound. According to al-Dhahabī, ‘Umar was a transmitter of the *Qūt*.<sup>122</sup> Al-Khaṭīb did not evaluate al-Makkī’s *ḥadīth* acumen but reported his composition of the *Qūt* employing the language of the Ṣūfīs where he mentioned certain things pertaining to the Divine attributes that people have never heard and obnoxiously denounced.<sup>123</sup> Al-Khaṭīb stated that when al-Makkī preached in Baghdād, “it was said” that he uttered in his speech “None is more dangerous upon the creatures than the creator himself.” For this reason, people accused him of heresy and boycotted him. Al-Khaṭīb’s final account on al-Makkī was a statement of Baghdād’s leading tradent, al-‘Atīqī (441/1049) which indicates al-Makkī’s piety and reputation in his writings on *tawḥīd* (God’s unicity).<sup>124</sup>

Ibn al-Jawzī recounted that al-Makkī composed *Qūt al-Qulūb* for the Ṣūfīs that he filled up with fabricated traditions, daily prayers, which have no basis, and heretical beliefs. Al-Makkī mentioned in the book that God manifests (*yatajalla*) himself to his *awliyā’* in this world.<sup>125</sup> Ibn al-Jawzī also criticised al-Makkī for his arrangement of the Ṣūfī diet for the sake of attaining *mukāshafah* (unveiling of Divine secrets). It is only a way of being cruel to the body that actually weakens it. Hunger is only praiseworthy to a limit and the quotes from people of *mukāshafah* for Ibn al-Jawzī are *kalām fārigh* (empty talk).<sup>126</sup> Ibn al-Jawzī also refuted al-Makkī’s argument for Ṣūfī songs based on dreams. According to him, it is only the Ṣūfīs’ *taqṣīmāt* (arrangement of songs), which have no basis in the *Sharī‘ah*.<sup>127</sup>

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<sup>121</sup> TMS, 13:148 and 13:587.

<sup>122</sup> TIM, 9:671.

<sup>123</sup> “*Ashyā’ munkarah mustashna‘ah*” should be read in passive voice, instead of firmly attributing the judgment to al-Khaṭīb.

<sup>124</sup> TMS, 4:151.

<sup>125</sup> Ibn al-Jawzī, *Talbīs*, 240.

<sup>126</sup> Ibid, 313.

<sup>127</sup> Ibid, 349.

### 7.8.7 Abū'l-Qāsim Al-Qushayrī (465/1072)

Al-Qushayrī was a pivotal figure of Sufism who was trained under Abū 'Alī al-Daqqāq in Nishapur. He also studied Shāfi'ī jurisprudence with Abū Bakr al-Ṭūsī (420/1029) and learned legal theory as well as theology from Ash'arīs such as Ibn Fūrak and Abū Ishāq al-Isfarāyīnī (418/1027). Al-Qushayrī was involved in the struggles between the Ḥanafīs and Shāfi'ī-Ash'arī faction in Nishapur. Al-Qushayrī's main concern was to reconcile between suspected elements of Sufism with Shāfi'ism. He composed a work on *tafsīr* employing the language of Sufism.<sup>128</sup> His treatise on mysticism called *al-Risālah al-Qushayriyyah* was probably the most popular systematic work on Sufism has ever been written.

Al-Qushayrī was amongst the friends al-Khaṭīb included in his *Tārīkh*.<sup>129</sup> Based on this reason, the treatment was quite short and no year of demise was recorded. Al-Khaṭīb reported that al-Qushayrī came to Baghdād in 448 AH/1056 CE. He taught *ḥadīth* and delivered exhortatory sermons as well. Al-Khaṭīb pointed out that al-Qushayrī was an Ash'arī in theology and a Shāfi'ī in positive law. In the *Fihrist* of al-Mālikī, al-Khaṭīb brought three of al-Qushayrī's works to Damascus. They are *Ithbāt al-Awliyā'* (Affirming the Sainthood), *Fuṣūl fī al-Ishārāt* (Sections on *Ṣūfī* Allusions) and *Akḥbār al-Ṣūfiyyah* (Biographies of the *Ṣūfīs*). According to al-Khaṭīb, al-Qushayrī's *Ṣūfī* allusions are zestful (*malīḥ*) and his exhortations are excellent. As a *ḥadīth* tradent, he was also trustworthy due to which al-Khaṭīb had written down narrations from him.

Ibn al-Jawzī included al-Qushayrī in his criticism of the *Ṣūfīs*. He stated that al-Qushayrī authored for them *al-Risālah* wherein he spoke on annihilation (*fanā'*) and subsistence (*baqā'*) in God, contraction (*qabḍ*), expansion (*bast*), the mystical moment (*waqt*), the state (*ḥāl*), ecstatic rapture (*wajd*), ecstatic finding (*wujūd*), unification (*jam'*), separation (*farq*), sobriety (*ṣahw*), intoxication (*sukr*), tasting (*dhawq*), drinking (*shurb*), erasure (*maḥw*), affirmation (*ithbāt*), self manifestation

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<sup>128</sup> Richard Bulliet, *The Patricians of Nishapur: A Study in Medieval Islamic Social History* (Harvard Univ. Press, 1972), 155, Martin Nguyen. *Ṣūfī Master and Qur'an Scholar: Abū'l-Qāsim al-Qushayrī and the Laṭā'if al-Ishārāt* (Oxford: Oxford Univ. Press, 2011).

<sup>129</sup> TMS, 12:366.

(*tajallī*), co-presence (*muḥāḍarah*), unveiling (*mukāshafah*), glimmers (*lawā'ih*), dawns (*ṭawālī*), flashes (*lawāmi'*), inconstancy (*talwīn*), stability (*tamkīn*), the exoteric law (*sharī'ah*), the esoteric reality (*ḥaqīqah*), etc. According to Ibn al-Jawzī, these are all baseless illusions and mixings of truth with profanity. He added that al-Qushayrī's Qur'anic exegesis was even more absurd.<sup>130</sup> Al-Qushayrī enjoys no entry in his *Ṣifat al-Ṣafwah*.

## 7.9 Legacies and Responses

The above sections have shown the extent to which al-Khaṭīb's stances on theology and *taṣawwuf* could be perceived. Apart from Ibn 'Aqīl and Ibn al-Qushayrī, al-Khaṭīb represents another juncture at which two traditional schools - interestingly, within the circles of *aṣḥāb al-ḥadīth*- distinguished from one another. Al-Khaṭīb's seeming approval of speculation in theology and his ambiguous position on *ta'wīl* was arguably of a similar view to the one replicated in the writings of al-Ghazālī. The concept of the knowledge of the erudite amongst the scholars bears principle similarity to the concept of the mystical cognition of Divine attributes by "the few" or "the elect" amongst the servants.<sup>131</sup> Ordinary minds, however, should be distanced from exercising theological deliberations.<sup>132</sup> On the other hand, Ibn Taymiyyah reiterated al-Khaṭīb's principle in *al-Qawl*, that "the discourse pertaining to the attributes is a branch of the discourse relating to the Essence (*Dhāt*) and thus follows its rules exactly,"<sup>133</sup> Al-Khaṭīb thus serves as a reference for both schools of thought.

Nevertheless, to magnify al-Khaṭīb's influence on particulars of discursive theology would be an overstatement. His works concerned more *ḥadīth* and *fiqh*, and his legacy in these areas are much more celebrated as further observed in the genre

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<sup>130</sup> *Talbīs*, 240-241. See: Annabel Keeler, "Ṣūfī *Tafsīr* as a Mirror: al-Qushayrī the *murshid* in his *Laṭā'if al-ishārāt*" *Journal of Qur'ānic Studies* 8 (2006): 1-21.

<sup>131</sup> Ali Ḥasan, "al-Ghazali and Ibn Rushd on Creation and the Divine Attributes," in *Models of God and Alternative Ultimate Realities*, eds. J. Diller and A. Kasher (Springer Netherlands, 2013), 153-155.

<sup>132</sup> See: 'Abd Allāh Ḥāmid 'Alī, *A Return to Purity in Creed*, trans., al-Ghazālī, *Iljām al-'Awām 'an 'Ilm al-Kalām* (USA, Lamp Post Productions, 2008).

<sup>133</sup> *Majmū' Fatāwā*, 3:25.

of *ṭabaqāt al-fuqahā'*, particularly amongst the Shāfi'īs. Al-Dhahabī went further to assert that he was amongst the prominent Shāfi'ī jurists. The assessment on the reception for each of his works is beyond the scope of the present study. Some of it has been presented in Chapter Two. It is worthwhile to examine some early and important responses to al-Khaṭīb.

As many previous studies were not equipped with works of the first generation of al-Khaṭīb's biographers, the origin of controversies in his biography have never been traced to the earliest source. With the publication of new materials, it is surprising to find that the first writing to contain relatively negative images of al-Khaṭīb comes from a Zāhirī called al-Ḥāfiẓ Ibn Ṭāhir. He was also qualified with being a Malāmatī Ṣūfī.<sup>134</sup> It contrasts the common perception that it was the Ḥanafīs who responded fiercely to al-Khaṭīb due to his accounts on Abū Ḥanīfah. Even the Ḥanbalī responses such as in the writings of Ibn al-Jawzī were earlier than the Ḥanafīs'. Nevertheless, Ibn Ṭāhir was also an ardent seeker of *ḥadīth* who travelled barefoot, at least twenty *farsakhs* (approximately four miles) a day, across the cities in Muslim world. Ibn Ṭāhir was reported to make mistakes frequently in his transmission and in his reading. He professedly adopted the *madhhab* of Dāwūd al-Zāhirī. Interestingly, al-Ḥamawī reported that Ibn Ṭāhir criticised many of the Shāfi'īs due to his adoption of Ḥanbalism. Ibn Ḥajar refuted this point suggesting that al-Ḥamawī had mistaken him for the Ḥanbalī Ibn Nāṣir al-Salāmī (550/1155).<sup>135</sup> Ironically, it was Ibn Nāṣir who accused Ibn Ṭāhir of adopting the *ibāḥah* (liberal) version of Sufism.

Amongst the issues Ibn Ṭāhir ascribed to al-Khaṭīb was the frequent visit by a handsome youth in Damascus.<sup>136</sup> Malti-Douglas attributed this to al-Ḥamawī without explanation on the source of the story. The accounts actually mention that this incident was exploited by a Rāfiḍī in Damascus to report al-Khaṭīb to the

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<sup>134</sup> For his biography, see: *TIM*, 11:92. Also: Sara Sviri, "Ḥakīm Tirmidhī and the Malāmatī Movement in Early Sufism," in *The Heritage*, ed. Lewisohn, 583-613.

<sup>135</sup> Ibn Ḥajar, *Lisān al-Mizān*, 7:211-216. Muḥammad ibn Nāṣir al-Salāmī al-Ḥanbalī was a professor of Ibn al-Jawzī. Abū Sa'd al-Sam'ānī stated that Ibn Nāṣir loves to condemn people. Ibn al-Jawzī defended him by associating al-Sam'ānī with fanaticism over Shāfi'ī *madhhab*. *TIM*, 11:991-996.

<sup>136</sup> Ibn Ṭāhir, *al-Manthūrāt*, 46-47. The modern version is a recollection from available sources.

authority. The mention of a handsome youth, however, is quite intriguing. Ibn Nāṣir asserted that Ibn Ṭāhir had authored a work on the permissibility of lustful look at a handsome non-bearded face. If this is true, was he associating al-Khaṭīb with his version of Sufism or was he using this account to support Ṣāhirism?<sup>137</sup> He had already been reported attributing the same to Ibn Maʿīn.<sup>138</sup> Inversely, Malāmātīs have always been accused practising a liberal form of Sufism and are commonly misrepresented.<sup>139</sup> Despite his work on Sufism titled *Ṣafwat al-Taṣawwuf* in which he criticised Malāmātiyyah, the authenticity of Ibn Ṭāhir's Malāmātī affiliation requires further study due to the mysterious nature of this faction.

Nevertheless, Ibn Ṭāhir reported the account on the authority of Makkiy al-Rumaylī. The same Makkiy was reported by Ibn ʿAsākir to have seen a dream where the Prophet attended the recitation of *Tārīkh Baghdād* with al-Khaṭīb and some Shāfiʿī-Ashʿarīs.<sup>140</sup> Ibn Ṭāhir had also reported that al-Khaṭīb accused al-Dāraquṭnī with an inclination to Shīʿism, a point that portrayed him more as a Nāṣibī.<sup>141</sup> In a nutshell, it is evident that many accounts presented by al-Ḥamawī (except the drunkenness) and Ibn al-Jawzī were evinced by Ibn Ṭāhir.

As mentioned above, the second earliest response to al-Khaṭīb comes from the later Ḥanbalī side one century after al-Khaṭīb's demise. It was Ibn al-Jawzī who first revealed al-Khaṭīb's implicit attack on some Ḥanbalī figures. Ibn al-Jawzī even authored a work dedicated to this subject titled *al-Sahm al-Muṣīb fī Bayān Taʿaṣṣub al-Khaṭīb* (A Hitting Arrow, on Exposing the Fanaticism of al-Khaṭīb). Specific refutations in *ḥadīth* and legal subjects have been given in Chapter Two. Up to this point, Ibn al-Jawzī supposedly pioneered this narrative.

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<sup>137</sup> *Ṣāhirī madhhab* was reported to allow looking at an *amrad* while other *Sunnī madhhabs* prevented even being alone with him.

<sup>138</sup> He related that Ibn Maʿīn recited a *ṣalawāt* (prayer) upon a beautiful face of a girl and every fair face. *TIM*, 11:95.

<sup>139</sup> A Malāmātī will purposely act in such a way that the people will reject him.

<sup>140</sup> See below.

<sup>141</sup> See Chapter One. Ibn Ṭāhir, *al-Manthūrāt*, 27.

Malti-Douglas has also highlighted al-Ḥamawī's report accusing al-Khaṭīb of drunkenness. Al-Ḥamawī's source was the lost *al-Muntakhab of al-Nakhshabī* selected by the Shāfi'ī Abū Sa'd al-Sam'ānī. Al-Sam'ānī had already expressed his doubt about it since only al-Nakhshabī revealed about al-Khaṭīb's drunkenness, whereas he had met coteries of al-Khaṭīb's colleagues and students who have never mentioned such a thing. The text essentially speaks on *taghayyur al-ḥāl* (the change of state). The first person who met al-Khaṭīb before al-Nakhshabī noticed only this change and did not consider it as drunkenness. This may refer to a probable *Ṣūfī* experience. On another note, the grandson of Ibn al-Jawzī, and al-Ḥamawī too, preserved some of al-Khaṭīb's poems on intoxication, the wine of love, beauty and the preference of being killed to being parted by a lover. Assuming that al-Khaṭīb was secretly a *Ṣūfī*, these features would beautifully represent pieces of his mystical allusions.

As for the Ḥanafī response, the grandson of Ibn al-Jawzī Yūsuf ibn Qizughlī (654/1256), having been a Ḥanafī following his friendship with the Ayyūbid Ṣulṭān, al-Malik al-Mu'azzam 'Isā ibn Abī Bakr ibn Ayyūb (r. Damascus 615-624/1218-1227) did not mention al-Mu'azzam's writing about al-Khaṭīb in his biography. Al-Mu'azzam was an ardent Ḥanafī who took part in polemical disputations between schools of thought. Yūsuf was formerly a Ḥanbalī and his adoption of Ḥanafism did not beset his reverence for Ibn Ḥanbal like his grandfather. The friendship between him and al-Mu'azzam influenced each other's views.<sup>142</sup> Like Yūsuf, al-Mu'azzam respected Ibn Ḥanbal and asked the Ḥanbalī controversial scholar, 'Abd al-Ghaniyy ibn 'Abd al-Wāḥid (600/1204) to reorganise *Musnad Ibn Ḥanbal* according to topics. He also owned ten volumes of Ḥanafī's jurisprudential teachings gathered by scholars for his personal use. Ironically, 'Abd al-Ghaniyy was nearly killed for reading al-'Uqaylī's book, *al-Dhu'afā'*, in which Abū Ḥanīfah was mentioned amongst the weak narrators of *ḥadīth*.<sup>143</sup> It is within this milieu that al-Mu'azzam composed his work, *al-Sahm al-Muṣīb fī al-Radd 'āla al-Khaṭīb*, a title similar to the one mentioned in Yūsuf's biography of al-Khaṭīb. Yūsuf's writing emphasised al-Khaṭīb's

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<sup>142</sup>See this friendship in: al-Nuwayrī, *Nihāyat al-Arab fī Funūn al-Adab* (Beirut: Dār al-Kutub al-'Ilmiyyah, 2004), 29:95.

<sup>143</sup> *TIM*, 12:1211.

attack on Ḥanbalism and his immersion in loving the beauty of the handsome youth. This may suggest that the defence of Abū Ḥanīfah was done through inviting the Ḥanbalīs to attack al-Khaṭīb who was the source for such derogatory accounts.

## 7.10 Receptions in the Traditional Sciences

Despite the above issues, this section pursues to list those who transmit al-Khaṭīb's works and those who have benefitted from them to trace the course of his legacy into later generations. It is undisputable that from the magnitude of his works and his disseminations of knowledge across several regions, the total number of his students, supervisees and those who received learning from him is beyond possible count. Bashshār 'Awwad has briefly introduced eighty-two students of al-Khaṭīb in his editorial exordium of the *Tārīkh*. The present study has traced more than 100 names associated with al-Khaṭīb in numerous strands of transmissions. This section selectively presents a number of them arranged in several groups to explicate the permeation of his thought:

### (i) Reciter, Copyists and Those Who Transmitted Extensively

1. Abū Manṣūr Nāṣir al-Baghdādī (468/1076), the reciter of the *Tārīkh* in al-Khaṭīb's sessions in Baghdād.<sup>144</sup>
2. Abū Manṣūr 'Abd al-Muḥsin al-Shīḥī (489/1096), a tradent and a copyist of most of al-Khaṭīb's works to the extent that al-Khaṭīb granted him his personal copy.<sup>145</sup>
3. Abū'l-Qāsim Makkiy al-Rumaylī (492/1099), learned from al-Khaṭīb at Damascus, Tyre and Baghdād, and attended his illness and death.
4. 'Abd al-Raḥmān ibn Muḥammad, Abū Manṣūr Ibn Zurayq al-Qazzāz al-Ḥarīmī (535/1141), he audited the *Tārīkh* from al-Khaṭīb except for the 36th part. He also learned from many copyists regarding the *Tārīkh* including his father.<sup>146</sup>

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<sup>144</sup> *al-Muntaẓam*, 8:301-303.

<sup>145</sup> *Siyar*, 19:152.

<sup>146</sup> *TIM*, 11:632.



This study has found that he related more than 250 *ḥadīths* from al-Khaṭīb placing him amongst the top students.

5. Abū Ghālib Shujā' al-Dhuhlī (507/1114).<sup>147</sup>
6. Abū Naṣr al-Mu'ammār al-Anmāṭī (514/1120).<sup>148</sup>

#### (ii) The Family of Khayrūn

1. Abū'l-Faḍl Aḥmad ibn al-Ḥasan (488/1095), also known as Ibn al-Bāqillānī. Like al-Khaṭīb, out of humility, Abu'l-Faḍl refused to be called *al-Ḥāfiẓ*. Al-Khaṭīb pays high regard for him that he allowed him to include any beneficial addition to the *Tārīkh*.<sup>149</sup>
2. Abū Maṣṣūr Muḥammad ibn 'Abd al-Malik (539/1145), the nephew of Abu'l-Faḍl. He produced and sold copies of the *Tārīkh*.<sup>150</sup>

#### (iii) The Family of Ya'lā

1. 'Ubayd Allāh ibn Muḥammad ibn al-Ḥusayn (469/1077), Abū'l-Qāsim, the first son of Abū Ya'lā al-Farrā'. He learned *ḥadīth* and *isnād* studies from al-Khaṭīb.<sup>151</sup>
2. Muḥammad ibn Muḥammad (526/1132), Abū'l-Ḥusayn, son of Abū Ya'lā, the author of *Ṭabaqāt al-Ḥanābilah*. He benefitted a lot from the *Tārīkh*.

#### (iv) The 'Alawīs

1. Abū'l-Ma'ālī Muḥammad al-Murtaḍā al-Ḥusaynī (480/1087), the most renowned 'Alawī of his time. His *ḥadīth* acumen is due to his learning from al-Khaṭīb.<sup>152</sup>

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<sup>147</sup> *Siyar*, 19:355.

<sup>148</sup> *TIM*, 11:228.

<sup>149</sup> *Siyar*, 19:10.

<sup>150</sup> *TIM*, 11:717.

<sup>151</sup> Ibn al-Najjār, *Dhayl*, 2:118.

2. Abū'l-Qāsim al-Nasīb.<sup>153</sup>

**(v) Baghdād**

1. al-Amīr Ibn Mākūlā.<sup>154</sup>
2. Muḥammad ibn Aḥmad, Abū Bakr al-Shāshī (507/1114), the tutor for al-Shīrāzī's lectures who became the Ash'arī-Shāfi'ī professor at Nizāmiyyah.<sup>155</sup>
3. Abū'l-Baqā' al-Milḥī, the Qur'ān reader (519/1125).<sup>156</sup>
4. Abū'l-Qāsim al-Shurūṭī, the tradent (528/1134).<sup>157</sup>
5. Ibn al-Muṭṭawwi'ah al-Asadī (532/1138).<sup>158</sup>
6. Abū'l-Ḥasan Ibn al-Sharīf al-Anṣārī (532/1138),<sup>159</sup> and many others.

**(vi) Kūfah**

1. Abū'l-Ghanā'im al-Narsī (510/1117), the tradent of Kūfah.<sup>160</sup>

**(vii) 'Ukbarā**

1. Muḥammad ibn Aḥmad Ibn Tawbah, Abū'l-Ḥasan al-Asadī (535/1141), the Shāfi'ī student of al-Shīrāzī.<sup>161</sup>

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<sup>152</sup> *Siyar*, 18:521.

<sup>153</sup> See Chapter Two.

<sup>154</sup> See Chapter One.

<sup>155</sup> *TIM*, 11:91.

<sup>156</sup> *Ibid*, 11:300.

<sup>157</sup> *Siyar*, 18:274.

<sup>158</sup> *TIM*, 11:564.

<sup>159</sup> *Ibid*, 11:580.

<sup>160</sup> *Siyar*, 18:273.

<sup>161</sup> *TIM*, 11:638.

**(viii) Karkh**

1. Ibrāhīm ibn Muḥammad, Abū Badr (539/1145), the teacher of Ibn ‘Asākir.<sup>162</sup>

**(ix) Damascus**

1. Abū Muḥammad Ibn al-Nakḥkhāṣ (462/1070).<sup>163</sup>
2. Naṣr Abū l-Faṭḥ al-Maqdisī (490/1097), the leading Ash‘arī-Shāfi‘īte in Shām. He was amongst those seen in the aforementioned dream of Makkiy.<sup>164</sup>
3. Ibrāhīm Abū Ishāq al-Qushayrī (501/1108), he copied a lot of al-Khaṭīb’s works.<sup>165</sup>
4. ‘Abd Allāh ibn Aḥmad al-Samarqandī (516/1122), the Ḥāfiẓ. He learned from al-Khaṭīb many of his works with his daughter.<sup>166</sup>
5. Abū Muḥammad al-Sulamī (526/1132), the most renowned *Musnid* of Shām.<sup>167</sup> This study unveiled that he related more than 100 accounts from al-Khaṭīb.

**(x) Tyre**

1. Abū’l-Faṭḥ al-Turkī al-Tunkutī (486/1093), the transmitter of *Ṣaḥīḥ Muslim* in Andalus.<sup>168</sup>
2. Muḥammad ibn ‘Umar of Seville (501/1108). He transmitted *al-Mu’tanif* and *Kitāb al-Faqīh* to the renowned al-Qāḍī ‘Iyāḍ.<sup>169</sup>
3. Al-Ḥāfiẓ Abū’l-Fityān ‘Umar al-Dihistānī (503/1110).<sup>170</sup>

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<sup>162</sup> *Siyar*, 18:274.

<sup>163</sup> *TDQ*, 27:392.

<sup>164</sup> Ibn ‘Asākir, *Tabyīn*, 286.

<sup>165</sup> *Al-Muntaẓam*, 17:110.

<sup>166</sup> Ibn al-Dumyāṭī, *al-Mustafād*, 137. See below: Kamāl.

<sup>167</sup> *Siyar*, 18:273.

<sup>168</sup> *TIM*, 10:570.

<sup>169</sup> Ibn al-Abbār, *al-Takmilah* (Beirut: Dār al-Fikr, 1995), 1:332-333, Ma‘rūf, ed. *Tārīkh Baghdād*, 1:60.

4. Al-Ḥāfiẓ Al-Mu'taman ibn Aḥmad al-Sājī, Abū Naṣr (507/1114).<sup>171</sup>
5. Ghayth ibn 'Alī, Abū'l-Faraj al-Armanāzī (509/1116), the *khaṭīb*, tradent and historian of Tyre. He owns a copy of *Taqyīd al-'ilm* and *Talkhīṣ al-Mutashābih*.<sup>172</sup>
6. Naṣr Allah ibn Muḥammad, Abū'l-Faṭḥ al-Miṣṣīṣī (542/1148), the transmitter of *al-Asmā' al-Mubhamah*. He moved to Damascus and became the last person to narrate from al-Khaṭīb there.<sup>173</sup>

**(xi) Hamadhān**

1. 'Abd al-Wāḥid Abū 'Umar al-Walāshjirdī (502/1109), the Shāfi'ī jurist who learned from al-Khaṭīb in Baghdād.<sup>174</sup>

**(xii) Traders**

1. Ibn al-Khashshāb, al-Mubārak ibn Sa'īd al-Asadī (505/1112). He went to trade in Andalus in 483 AH/ 1090 CE and transmitted *Tārīkh Baghdād* there.<sup>175</sup>

**(xiii) Mālikīs**

1. Abū'l-Walīd al-Bājī.<sup>176</sup>
2. Ibn Ḍunayz, 'Alī Abū'l-Ḥasan (474/1082) of Majorca, Andalusia. He was a linguist and jurist who wrote most of al-Khaṭīb's books at Tyre and obtained their copies.<sup>177</sup>

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<sup>170</sup> TIM, 11:45.

<sup>171</sup> Ibid, 11:104. He said, 'After al-Dāraqutnī, Baghdād has never produced a ḥāfiẓ who is more brilliant than al-Khaṭīb.'

<sup>172</sup> Ibid, 11:124, Ma'rūf, ed. TMS, 1:63.

<sup>173</sup> Ibid, 11:816. See below: Zaynab.

<sup>174</sup> Ibid, 11:36, al-Asnawī, *Ṭabaqāt*, 2:308.

<sup>175</sup> Ibn Bashkuwāl, *al-Ṣilah* (Tunis: Dār al-Gharb al-Islāmi, 2010), 2:276.

<sup>176</sup> al-Ishbīlī, *Fihrist*, 553.

<sup>177</sup> TIM, 10:410.

3. ‘Alī ibn Aḥmad, Abū’l-Ḥasan al-Ghassānī (530/1136). He resided at the eastern minaret of Umayyad Mosque, Damascus. He was a Mālikite *Muftī* who inclined greatly to *aṣḥāb al-ḥadīth*.<sup>178</sup> This study has retraced more than 250 accounts he related from al-Khaṭīb, placing him amongst the top narrators.

#### (xiv) Ḥanafīs

1. ‘Umar ibn Ibrāhīm, Abū’l-Barakāt al-Ḥusaynī al-Kūfī (539/1145), the *Imām* of the Mosque of Abū Ishāq al-Sabīī. He was a leading Zaydite and Mu‘tazilite scholar who concealed his belief on the created-ness of the Qur’ān.<sup>179</sup>

#### (xv) Zāhirīs

1. Muḥammad ibn Futūḥ, Abū ‘Abd Allāh al-Ḥumaydī (488/1095), a student of Ibn Ḥazm from Majorca. He learned from al-Khaṭīb in Damascus.<sup>180</sup>
2. Abū’l-Ḥasan al-‘Abdarī (493/1100) from Majorca. He went to Baghdād, befriended al-Khaṭīb and learned jurisprudence from Abū Bakr al-Shāshī al-Shāfiī, the student of al-Khaṭīb. He left the method of Ibn Ḥazm and converted to Shāfi‘ism and produced a *ta’līqah*.<sup>181</sup> He transmitted al-Khaṭīb’s partition of *Sunan Abū Dāwūd* to Ibn al-‘Arabī.<sup>182</sup>

#### (xvi) Ḥanbalīs

1. Al-Ḥāfiẓ Abū ‘Alī al-Baradānī al-Baghdādī (498/1105), a well-known traditionist.<sup>183</sup> He was said to be more expert in *ḥadīth* than Shujā‘ al-Dhuhlī.

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<sup>178</sup> Ibid, 11:507.

<sup>179</sup> *Siyar*, 20:145-146.

<sup>180</sup> Ibid, 19:120.

<sup>181</sup> Ibn Bashkuwāl, *al-Ṣilah*, 2:39.

<sup>182</sup> al-Ishbīlī, *Fihrist*, 143.

<sup>183</sup> *Siyar*, 19:220. He said: ‘Perhaps al-Khaṭīb has never seen someone like himself.’

2. Abū'l-Wafā' Ibn 'Aqīl (513/1119). He stated, 'amongst them (my professors) was al-Khaṭīb, the ḥāfiẓ of his time. Yet, our Ḥanbalī fellows had asked us to boycott a group of scholars. This restrained me from beneficial knowledge.<sup>184</sup>
3. Katā'ib Abū'l-Barakāt Ibn al-Muqaṣṣiṣ (513/1119).<sup>185</sup>
4. Abū'l-Sa'ādāt al-Hāshimī al-Baghdādī (521/1127).<sup>186</sup>
5. Qāḍī al-Māristān, Muḥammad ibn 'Abd al-Bāqī al-Baghdādī (532/1138), the *Musnid* of 'Irāq. He was the student of both Abū'l-Ṭayyib al-Ṭabarī and Abū Ya'ālā.<sup>187</sup>

#### (xvii) Ṣūfīs

1. Abū Sa'd al-Muzakkī al-Ḥaramī (491/1098), who resided in Herat. He learned from al-Khaṭīb in Baghdād.<sup>188</sup>
2. Yūsuf al-Hamadhānī, Abū Ya'qūb (535/1141), one of the leading Ṣūfīs.<sup>189</sup>
3. Abū Sa'd al-Zawzanī al-Ṣūfī (536/1142).<sup>190</sup>

#### (xviii) Children

1. Yaḥyā ibn 'Alī Ibn al-Ṭarrāḥ (536/1142).
2. Muflīḥ ibn Aḥmad Abū al-Faṭḥ al-Baghdādī (537/1143).<sup>191</sup>
3. Muḥammad ibn 'Umar al-Urmawī (548/1153), the *Musnid* of Iraq and a Shāfi'ī jurist.<sup>192</sup>

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<sup>184</sup> Ibn Rajab, *Dhayl Ṭabaqāt al-Ḥanābilah* (Riyadh: Obeikan, 2005), 1:320.

<sup>185</sup> *TIM*, 11:209.

<sup>186</sup> *Ibid*, 11:365.

<sup>187</sup> *Siyar*, 20:23-24.

<sup>188</sup> *Ibid*, 19:202.

<sup>189</sup> *Ibid*, 18:274.

<sup>190</sup> See Chapter One.

<sup>191</sup> *Siyar*, 20:165.

They were brought by their fathers to the classes of al-Khaṭīb for blessings and knowledge.

#### 7.11 Receptions of al-Khaṭīb's Scholarship by Female Scholars

##### 1. Fāṭimah bint al-Ḥusayn ibn al-Ḥasan ibn Faḍluviyē al-Rāzī (521/1127)

She was also known as Bint Ḥamzah. She was a head Ṣūfī in Baghdād where she built a *ribāṭ* for female Ṣūfīs. She studied under al-Khaṭīb and was amongst the links between him and Ibn 'Asākir who met her in Baghdād.<sup>193</sup> Ibn al-Jawzī also received traditions from her.<sup>194</sup>

##### 2. Al-Mubārakah bint 'Abd al-Malik ibn Aḥmad al-Shahrazūrī, Umm al-Faḍl, Sittu al-Ahl (513/1119).

She learned *Taqyīd al-'Ilm* with the following Kamāl from al-Ḥāfiẓ 'Abd Allāh.<sup>195</sup>

##### 3. Kamāl bint al-Ḥāfiẓ 'Abd Allāh ibn Aḥmad al-Samarqandī, Umm al-Ḥasan, Sitt al-Shuyūkh (558/1163).

She was the wife of the tradent 'Abd al-Khāliq al-Yūsufī.<sup>196</sup> She learned *Taqyīd al-'Ilm* with her father who transmitted directly from al-Khaṭīb.<sup>197</sup> 'Abd Allāh was born in Damascus wherein he learned from al-Khaṭīb.

##### 4. Fāṭimah bint Sa'd al-Khayr al-Anṣāriyyah (600/1203)

##### 5. Zaynab bint Sa'd al-Khayr al-Anṣāriyyah (n.d.)

##### 6. Rabī'ah bint Sa'd al-Khayr al-Anṣāriyyah (n.d.)

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<sup>192</sup> Ibid, 20:183.

<sup>193</sup> TDQ, 3:308.

<sup>194</sup> TIM, 11:373

<sup>195</sup> See below. Her biography in: TIM, 11: 196 and 212.

<sup>196</sup> Siyar, ٢٠:٤٢٠.

<sup>197</sup> Taqyīd, 25.

## 7. Laylā bint Sa'd al-Khayr al-Anṣāriyyah (n.d.)

These are the daughters of Sa'd al-Khayr ibn Muḥammad (541/1147) who was a well-known tradent and a teacher of al-Sam'ānī. They audited *Jāmi' al-Ādāb* with the father and the boy Nāfi' ibn 'Abd Allāh (n.d.) from al-Mubārak ibn Muḥammad al-Buzūrī in 529 AH/1135 CE who obtained an *ijāzah* from al-Khaṭīb.<sup>198</sup> Sa'd travelled from his homeland, Valencia to China where Fāṭimah was born, and learned in many cities such as Isfahan and Hamadhān. In Baghdād, he also learned from Abū Ḥāmid al-Ghazālī.<sup>199</sup>

## 8. 'Azīzah bint 'Alī ibn Yaḥyā ibn 'Alī Ibn al-Ṭarrāḥ (600/1203)

She audited the whole *al-Kifāyah* from her grandfather who received it directly from al-Khaṭīb. 'Azīzah was also the tradent from whom Ḍiyā' al-Dīn al-Maqdisī (643/1245), the author of a *ṣaḥīḥ*'s work titled *al-Aḥādīth al-Mukhtārah* obtained his traditions.<sup>200</sup> She was the sister of the following.

## 9. Ni'mah bint 'Alī ibn Yaḥyā, Umm 'Abd al-Ghaniyy (604/1208)

She was known as Sitt al-Katabah. She migrated to Damascus and learned from her grandfather numerous works by al-Khaṭīb. Amongst those mentioned by Shihāb al-Dīn al-Qūṣī; *al-Jahr bi'l-Basmalah*, *al-Jāmi' li Akhlāq al-Rāwī wa Ādāb al-Sāmi'*, *Mas'alat al-Iḥtijāj bi'l-Shāfi'i*, *al-Sābiq wa al-Lāḥiq*, *al-Kifāyah*, *al-Bukhalā'*, *al-Qunūt*, and *Ṣawm Yawm al-Shakk*. She was also the teacher of Ḍiyā' al-Maqdisī and 'Abd al-'Azīm al-Mundhirī (656/1528).<sup>201</sup>

## 10. Zaynab bint Ibrāhīm ibn Muḥammad, Umm al-Faḍl al-Qaysiyyah (610/1214)

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<sup>198</sup> *al-Jāmi'*, 2:307 and 1:59.

<sup>199</sup> *TIM*, 11:782.

<sup>200</sup> Ḍiyā' al-Dīn al-Maqdisī, *Thabat Masmū'āt* (Beirut: Dār al-Bashā'ir al-Islāmiyyah, 1999), 205-206. *TIM*, 12:1221.

<sup>201</sup> *TIM*, 13:94.



She was the wife of the *khaṭīb* of Damascus, Abu'l-Qāsim al-Dawla'ī. She studied *al-Asmā' al-Mubhamah* with Naṣr Allah al-Miṣṣīṣī.<sup>202</sup>

**11. Asmā' bint 'Abd Allāh ibn Ḥasan ibn Abī Bakr al-Mihrānī, Umm al-Ḥasan al-Dimashqiyyah (867/1463)**

She was a renowned tradent of Damascus. She audited *Riwāyāt al-'Ābā' 'an al-Abnā'* from Muḥammad ibn Muḥammad ibn Naṣr Allah, Kamāl al-Dīn and Aḥmad ibn 'Abd al-Ghālib.<sup>203</sup>

The above lists show that the distribution of al-Khaṭīb's transmissions and works took place mostly in Baghdād, Damascus and Tyre, and mainly amongst the Shāfi'ī-Ash'arīs and *aṣḥāb al-ḥadīth*. This study has failed to uncover any direct reception from the Ḥanafī *ḥadīth* circle. This might have proven the success of traditionalism brought by al-Qudūrī to the legal school, yet it requires further study. Al-Khaṭīb's legacy seems to be celebrated mainly in Damascus. He used to enjoy huge crowds at the Umayyad Mosque. His student Ibn al-Akfānī reported that when he died, letters were sent to numerous groups in Damascus informing them about the news.<sup>204</sup> Ultimately, al-Khaṭīb seems to have attempted to conceal his inclinations amongst the public. Nevertheless, his views and thoughts have given support to Ash'arism. The grandson of Ibn al-Jawzī reported that the Ḥanbalīs were perplexed by al-Khaṭīb's views. They came to his session on Friday and sent a small paper through a young boy which contains: 'By the name of God who raised the Mu'tazilah through Ibn Abī Du'ād, the Jahmiyyah through Jahm ibn Abī Ṣafwān, the Karāmiyyah through Ibn Karām, the Ashā'irah through you (*a'azza bika al-Ashā'irah*), tell us: What is your *madhhab*?!'<sup>205</sup>

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<sup>202</sup> *Al-Asmā' al-Mubhamah*, Exordium. Her biography in: *TIM*, 13:237.

<sup>203</sup> Ibn Fahd al-Makkī, *Mu'jam al-Shuyūkh* (Riyadh: Dār al-Yamāmah), 397.

<sup>204</sup> Ibn al-Akfānī, *Dhayl*, 32.

<sup>205</sup> Sibṭ Ibn al-Jawzī, *Mir'āt al-Zamān*, 12:492.

## Conclusion

Although there were controversies surrounding the persona of al-Khaṭīb, his books and intellectual thoughts continues to be studied and revised in later generations. His organisation and articulation of *ḥadīth* principles appeared successful enough to pose a threat to any contesting legal school willing to identify itself as the true representor of *ḥadīth* scholarship. Many substantial ideas and their connections to early discourse on the study of *Sunnah* were obfuscated and tampered due to the emergence of debates related to the determinacy of *ma'nā*, particularly with regard to the Divine Attributes, between the Ash'arīs and the Ḥanbalīs. Al-Khaṭīb's legacy seems to be celebrated highly by the Ash'arīs of Damascus. The study of *ḥadīth* was not a marginalised discipline anymore. This attracted the attention of the rulers to the extent that a formal institution was built for the study of *ḥadīth*. It was founded by al-Malik al-ʿĀdil Nūr al-Dīn Mahmud ibn Zanki (re. 662-671 AH/1146-1174 CE) and Ibn ʿAsākir was entrusted as its first *Shaykh al-Ḥadīth*. The study of al-Khaṭīb's legacy can be said to ultimately find its venue in this institution that was subsequently called Dār al-Ḥadīth al-Nūriyyah.

# Epilogue

The author's extended encounter with the scholarship of al-Ḥāfiẓ al-Khaṭīb al-Baghdādī throughout this research has allowed him to follow the quest of a diligent scholar in searching for the real meaning of an intellectual journey. Being brought up in a surrounding that fostered the religious practices and encouraged the traditional way of learning, the scholar was expeditious enough to observe that debates and conversations amongst the juridical and legal community of Baghdād were ultimately associated with identifying the valid connection to Prophetic traditions, and providing a successful demonstration of a coherent and systematic methodology in addressing intellectual and social problems of the Muslim world. His life since then was devoted to collecting *ḥadīth* and approaching any figure or circle that would enrich his experience with the tradition, accompanied by ceaseless desire to collect important books and works. Contrary to the common perception that he was influenced by certain scholars of *ḥadīth* such as al-Barqānī and al-Ṣūrī, and recent views that he was arduously pursuing the *Ṣaḥīḥayn* paradigm; he actually achieved mastery in *ḥadīth* at a much earlier age while he was trained by Shāfi'ī professors in jurisprudence, and his aim was wider and more inclusive. The Shāfi'īs and the Ḥanbalīs of Baghdād were the main groups he frequented for this aim because they were the ones who identified themselves as *aṣḥāb al-ḥadīth*. However, the nascent international culture of the Muslim world had brought together various issues, amongst which the rise of theological debates that generated a number of serious thinkers who – in the course of their attempt to face the challenge of scholars from other religions – considered the discipline of *ḥadīth* as a trivial subject. This attitude had its lasting effects not only amongst the theologians, but also jurists and legal practitioners. The scholar's resort to traditional theologians introduced him to concepts germane to Islamic epistemology. His concern for sincerity and genuineness compelled him to speak of the external and internal problems of the traditional circles and the challenging problems in the sources. The Ash'arīs provided him with rational justification for the study of *ḥadīth* and *Sunnah*. He was a man of piety, and although traditional theology had convinced him on certain subjects, he observed that *ḥadīth* qualifies as the route to ultimate happiness and the loftiest rank in the hereafter. He believed that there is guidance within the *ḥadīth* corpora to address

intellectual curiosity, learning questions and hypothetical problems, and that the study of *fiqh* is the mechanism to unravel meanings which are needed for that vision. His thorough investigation into the history of *isnād* exposed him to phenomena which became fundamental for its evaluation, and his exposure to the idea of meaning affected his concept of *takhrīj* which combines the evaluation of *rāwī* and *marwī*. Furthermore, it was al-Shāfi'ī's hermeneutic of ambiguity and al-Bāqillānī's theory of *khabar* that informed the foundation of his *ḥadīth* criticism. Although he adopted many views of the Ash'arīs, he was careful not to lose those of the *aṣḥāb al-ḥadīth* who stood against Ash'arism, particularly the Ḥanbalīs. His main concern was to present *ḥadīth* studies the way it should be, the crucial foundation of the *Sharī'ah*.

In this study, the author has observed that there was a considerable influence of Ash'arism, particularly the views of al-Bāqillānī on the systematisation of *ḥadīth* criticism. A more convincing conclusion would require a study on connections between al-Bāqillānī and *ḥadīth* scholars apart from al-Khaṭīb such as Abū'l-Walīd al-Bājī and others. Since al-Ash'arī's view of knowledge was fundamentally based on the concept of *'ādah*, the author noticed that this notion was embodied in many statements of al-Khaṭīb al-Baghdādī, especially those that address epistemological concerns. The concept represents Ash'arite cosmology, whereas the theory of atomic points created anew at every moment has a significant impact on the meaning of necessary (*ḍarūrī*) and customary (*'ādah*). This was furthermore employed in the division of human knowledge. The definition of *iktisāb*, hence, follows a certain theological epistemology. In the chapter on *tawātur*, it was proven that scholars differed in their understanding of the term based on their theological and epistemological background. Although al-Khaṭīb did not explain the reason behind the use of certain terms in his writings, it is somewhat helpful, albeit non-conclusive, to look at connections and close associations to obtain some explanations. The concept of *'ādah* as experience plays a vital role in defining the *'ilm* obtained through *tawātur*. Al-Khaṭīb employed it to explain several principles of *ḥadīth* criticism. The cognition of reliable *ḥadīth* itself is based on the cognition of *'ādah* that a reliable criticism of *ḥadīth* according to this scheme can only be achieved after an extensive experience in the field. In the author's opinion, this epistemology of *'ādah* deserves further study for a better understanding of its connection to the concept of *ma'nā* in *Sunnī* epistemology.

The author has also discovered the crucial function of *ma'nā* in *ḥadīth* studies. It advances a problem in reading the works of early compilers of *ḥadīth*. In other words, it is difficult to determine whether a record of any *ḥadīth* in a book was due to its script, *ma'nā*, gist or general spirit. When a scholar argued by a *ḥadīth*, was he relying on the *ḥadīth* itself or its conformity to a specific *ma'nā* adopted prior to the argumentation? Al-Khaṭīb's treatment of *tawātur ma'nawī* alluded to the idea of *ma'ānī* transmitted through the vehicle of *ḥadīth*. The author suggests that the concept of *ma'nā* needs further exploration especially on its function as the binding force between *fiqh* and *ḥadīth*. It was due to his appreciation of the important role of *ma'ānī* that al-Khaṭīb placed *fiqh* at the highest position amongst Islamic sciences. The dynamic relation between the script and the *ma'nā* leaves a significant impact on the activity of *takhrīj* and *ḥadīth* criticism.

Finally, the formation and articulation of *ḥadīth* criticism, and furthermore its relation to traditional *Sunnī* epistemology, were undoubtedly not the product of one single person or even one generation. The study of al-Khaṭīb's contribution to *ḥadīth* criticism should not be understood as an attempt to ignore the beneficial contribution of earlier, contemporary and later scholars. The limited scope permitted by this dissertation has not allowed the exploration of many other dimensions of al-Khaṭīb's scholarship. It is hoped that this study has shed some light on the scholarship of this *al-ḥāfiẓ* and his contribution to the articulation of *Sunnī* Islam in general. In conclusion, the author suggests that there are two important concepts that inform the theory of knowledge in traditional *Sunnī* epistemology; the concept of *ʿādah* and the concept of *ma'nā*.

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### Abbreviations

|                    |   |  |
|--------------------|---|--|
| <i>al-Jāmi'</i>    | - | See: al-Khaṭīb, <i>al-Jāmi' li Akhlāq al-Rāwī</i> .                |
| <i>al-Kifāyah</i>  | - | See: al-Khaṭīb, <i>al-Kifāyah fī Uṣūl</i> .                        |
| <i>al-Muntaẓam</i> | - | See: Ibn al-Jawzī, <i>al-Muntaẓam</i> .                            |
| <i>FWM</i>         | - | See: al-Khaṭīb, <i>Kitāb al-Faqīh wa al-Mutafaqqih</i> .           |
| <i>HMDB</i>        | - | See: al-Ḥamawī, <i>Mu'jam al-Uḍabā'</i> .                          |
| <i>Iqtidā'</i>     | - | See: al-Khaṭīb, <i>Iqtidā' al-'Ilm al-'Amal</i> .                  |
| <i>'ISH</i>        | - | See: al-'Ishshs, <i>al-Khaṭīb al-Baghdādī, Mu'arrikh Baghdād</i> . |
| <i>Siyar</i>       | - | See: al-Dhahabī, <i>Siyar A'lām al-Nubalā'</i> .                   |
| <i>Tasmiyah</i>    | - | See: al-Mālikī, <i>Juz' fīhi Tasmiyat</i> .                        |
| <i>TDQ</i>         | - | See: Ibn 'Asākir, <i>Tārīkh Madīnat Dimashq</i> .                  |
| <i>TFZ</i>         | - | See: al-Dhahabī, <i>Tadhkirat al-Ḥuffāz</i> .                      |
| <i>TIM</i>         | - | See: al-Dhahabī, <i>Tārīkh al-Islām wa-Wafayāt al-A'lām</i> .      |
| <i>TMS</i>         | - | See: al-Khaṭīb, <i>Tārīkh Madīnat al-Salām</i> .                   |
| <i>TUG</i>         | - | See: Ess, Josef van, <i>Theologie und Gesellschaft</i> .           |

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